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WEEK AWARDS COMPETITION
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By 1975,
YOUR PHONE BILL
WILL DOUBLE. THIS
EXTRAORDINARY
INCREASE IS DUE TO
HUGE CONSTRUCTION
PLANS THAT
DON'T EXIST!

THE BUILDING THAT IS BEING BUILT WITH A KIT
OF PR TOOLS. TRANSAMERICA, A SAN FRANCISCO
LANDMARK SINCE 1972, OVERCAME ALL OPPOSITION BY THE
USE OF PRETTY CORPORATE SECRETARIES SERVING ICED TEA



SAN FRANCISCO,

THE CITY THAT KNOWS HOW,
CUTS CABLE CAR SERVICE,
RAISES MUNI FARE RATES,
CHARGES TOGET INTO THE
ZOO AND AQUARIUM AND
EVEN MAKES MONEY OFF
YOUR DEATH CERTIFICATE.
YET, THIS CITY HAS \$100
MILLION IN CASH SURPLUS
AND IT GETS BIG-
GER EVERY YEAR



**SAN FRANCISCO
ISN'T BROKE, BUT...**

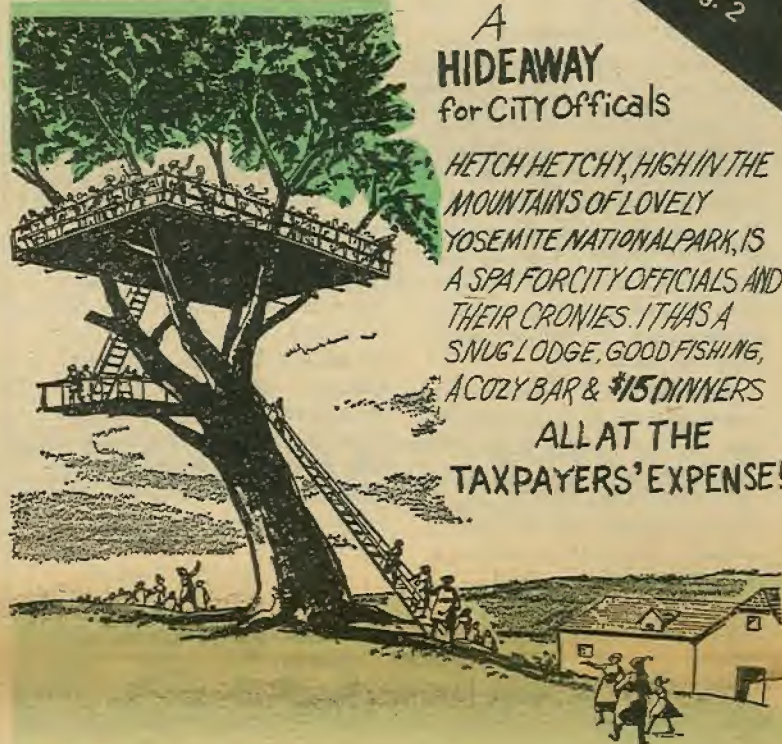
**THE BRIDGE OVER
THE RIVER KEARNY**
NOBODY KNOWS WHY
IT IS BEING BUILT.
BUT EVERYBODY KNOWS
IT COSTS \$600,000
AND WIPE OUT A
POPULAR
PLAY-
GROUND



pg. 2

A HIDEAWAY for CITY Officials

HETCH HETCHY, HIGH IN THE
MOUNTAINS OF LOVELY
YOSEMITE NATIONAL PARK, IS
A SPA FOR CITY OFFICIALS AND
THEIR CRONIES. IT HAS A
SNUG LODGE, GOOD FISHING,
A COZY BAR & \$15 DINNERS
ALL AT THE
TAXPAYERS' EXPENSE!



Reforming California's farmlands

By Peter Barnes

It's hard for people in cities to appreciate the need for land reform in the U.S. Most of us have been so cut off from the land that, through ignorance, we accept present landholding patterns as either desirable or inevitable. They are neither.

How is land distributed in California? According to a 1970 study by the University of California Agricultural Extension Service, 3.7 million acres of California farmland are today owned by only 45 corporate farms.

This means that nearly half the agricultural land in the state, and probably three-quarters of the prime irrigated land, is owned by the tiniest fraction of the population. This monopolization didn't just happen. It was and still is abetted by federal and state policies.

Land in California originally acquired its monopoly character from the prodigious and vaguely defined grants issued by the Spanish and then the Mexican governments. Upon California's accession to the union, these latifundia—still almost totally unpopulated—could have been incorporated into the public domain, or divided into small farms for settlers.

The government chose, probably without much thought, to allow them to remain private and undivided. Almost immediately, they fell prey to wily speculators and defrauders, who either bought out the heirs of

the grantees or forged phony title papers and bluffed their way through the courts.

Several of the original Spanish grants are embodied in mammoth holdings today: the Irvine Ranch (80,000 acres in Orange County), the Tejon Ranch (268,000 acres in the hills and valleys northeast of Los Angeles, 40 percent owned by the Chandler family, which publishes the Los Angeles Times), Rancho California (97,000 acres to the northeast of San Diego, jointly owned by Kaiser Aluminum and Aetna Life), and the Newhall Ranch (48,000 acres near Santa Barbara, controlled by the family of former Chronicle executive editor Scott Newhall).

THE STRUGGLE for acquisition of the Mexican land grants was only the beginning of empire-building in California. For some reason American history books are full of tales about the Robber Barons of finance and industry—the Rockefellers, Morgans, Carnegies and Harrimans—but almost always neglect to mention the great Cattle Barons of the West. At the top of any listing of the latter must certainly be the names of Henry Miller, James Ben Ali Haggin and Lloyd Tevis.

Miller was a German immigrant who arrived in San Francisco in 1850 with a total of six dollars in his pocket, and amassed an empire of 14 million acres—about three times the size of Belgium—before he died.

Starting out as a butcher, he soon realized that the big money lay in owning cattle, not chopping them into pieces for a handful of customers. He also recognized, in advance of other Californians, that water was far more valuable in the arid West than was gold. Miller's strategy was to buy up land along the rivers of California's central valleys, thereby acquiring riparian rights to the water. Then he would irrigate the river banks with ditches, providing his cattle with natural grasses on which to graze. Homesteaders further back from the river would lose their water and be forced to sell to Miller at dirt-cheap prices.

Miller had other tricks as well. According to Carey McWilliams' "Factories in the Field," a large portion of Miller's empire "was acquired through the purchase of land scrip which he bought from land speculators who, a few years previously, had obtained the scrip when they, while in the employ of the U.S. as government surveyors, had carved out vast estates for themselves."

Quite on a par with Miller in deviousness and ambition was the team of Haggin and Tevis, a pair of San Francisco tycoons who, among other things, had interests in the Southern Pacific Railroad and Sen. George Hearst's far-flung mining ventures.

By the 1870's Haggin and Tevis had accumulated several hundred thousand acres in the San Joaquin valley from former Mexican grantees, the Southern Paci-

fic homesteaders. Their empire-building was capped in 1877 by a masterfully engineered land-grab that must rank among the classics of the genre.

Under the impetus of California's Senator Sargent, who was acting on behalf of Haggin and Tevis, Congress hurriedly adopted a piece of legislation known as the Desert Land Act, and the bill was signed by President Grant in the last days of his administration.

THE LAW had the effect of

removing several hundred thousand acres from settlement under the Homestead Act. These lands, which were said to be worthless desert, were to be sold in 640 acre sections to any individual—whether or not he resided on the land—who would promise to provide irrigation. The price was to be 25 cents per acre down, with an additional \$1 per acre to be paid after reclamation.

Needless to say, much of the land in question was far from worthless. The chunk of it eyed

Continued on page 9

Guardian vs. Ex/Chron Suit up for May 28 hearing

The first round of the Guardian's constitutional lawsuit against the San Francisco Examiner and San Francisco Chronicle will be heard at 2 p.m. on May 28 in Federal Judge Carter's court in the federal building in San Francisco.

Judge Carter will hear oral arguments on the Chronicle's motion to dismiss the federal suit testing the constitutionality of the "failing newspaper act."

The act grants limited anti-trust exemptions to the joint agency monopoly of the Examiner/Chronicle and similar joint

ventures in 21 cities throughout the country. The Guardian is charging that the Act violates its first and fifth amendment rights by giving the Ex/Chron unfair and unconstitutional antitrust exemptions.

The Chronicle is represented by James Brosnahan of Cooper, White and Cooper; the Examiner, by McEnery and Jacobs.

Representing the Guardian are Prof. Steven Barnett, of the University of California Law School, and San Francisco attorneys Ramsay Fifield and Charles Cline Moore.

San Francisco isn't broke — But the city is poorer because it banks at Wells Fargo, Crocker Citizens, and Bank of America

The City of San Francisco loses millions annually because its huge \$250 million portfolio of inactive funds is invested at extraordinarily low interest rates. Instead of realizing maximum returns from these funds, the city short-changes the taxpayer to cozy up to the big banks whose profiles dominate the city's skyline.

San Francisco violates sound municipal investment policy in three ways: instead of diversifying its portfolio like many other cities, it places 100% of its inactive deposits in short-term, interest-bearing accounts with the 18 largest commercial banks in San Francisco. Second, it receives far less than the best interest rates at these banks.

Third, the city generates no interest at all on its active accounts.

In the fiscal year ended June 30, 1970, the city's inactive deposits amounted to \$251.7 million, and they earned \$13.8 million in interest—slightly under 5.5%. In that year of skyrocketing interest rates, the city could have done far better by putting the money in an ordinary short-term savings account.

San Francisco's failure to earn any return on its active deposits cost the city roughly \$750,000 during the same year. These funds stay in the banks a very short time, but their size—\$17.7 million, a typical sum, on June

30, 1970—should assure a considerable return. At one point in 1970, for example, the city of Oakland was earning 7% on its active deposits. Other cities report similar returns.

Why were all of the city's inactive balances deposited in commercial banks at such comparatively low rates of interest? The City Treasurer, John J. Goodwin, explained to the Guardian, "We're here to help out the local economy. Sometimes, we help out the money market, too."

IN THIS case, the "local economy" is that of the banks—and especially Bank of America, Crocker-Citizens and Wells Fargo—and they dominate the local money market. These three in 1970 held altogether about \$176 million—about 70%—of the city's inactive balances at preferred interest rates to do with as they pleased.

By obtaining the money at low rates, then loaning it out again at high rates, the banks stood to pick up millions from city funds.

Compare San Francisco's investment performance with other cities and you can see how little we get for our huge surpluses. Oakland, for example, splits its investments roughly 50-50 between commercial banks and U.S. Government Securities such as Treasury Bills and Federal National Mortgage Association Notes

Continued on page 4

A taxpayer with a \$100 bill in the bank can do better with his money than San Francisco with a portfolio of \$250 million

	Inactive	Active	Total	Percent
Bank of America	\$ 77,576,932.25	\$14,363,912.38	\$91,940,844.63	34.19%
Bank of California	12,021,125.00	171,344.99	12,192,469.99	4.53
Bank of Canton	1,675,000.00	50,000.00	1,725,000.00	.64
Bank of Montreal	2,900,000.00	50,000.00	2,950,000.00	1.10
Bank of Tokyo	5,325,000.00	50,000.00	5,375,000.00	2.00
Barclays Bank of California	1,375,000.00	50,000.00	1,425,000.00	.53
California Canadian Bank	1,150,000.00	50,000.00	1,200,000.00	.45
Chartered Bank of London	1,000,000.00	161,213.00	1,161,213.00	.43
Crocker-Citizens Nat'l Bank	64,250,000.00	590,913.23	64,840,913.23	24.10
First Western Bank	6,500,000.00	134,906.02	6,634,906.02	2.47
Hibernia Bank	1,750,000.00	50,000.00	1,800,000.00	.67
Hongkong & Shanghai Bank	4,425,000.00	50,000.00	4,475,000.00	1.66
Liberty National Bank	3,000,000.00	50,000.00	3,050,000.00	1.14
Security Pacific Nat'l Bank	10,850,000.00	108,315.70	10,958,314.70	4.08
Sumitomo Bank	8,100,000.00	50,000.00	8,150,000.00	3.03
Union Bank	4,430,000.00	100,000.00	4,530,000.00	1.68
United California Bank	7,500,000.00	301,399.99	8,801,399.99	2.90
Wells Fargo Bank	37,900,000.00	838,911.53	38,738,911.53	14.40
Total	\$ 251,728,057.25	\$17,220,916.84	\$268,948,974.09	100.00%

Percent of Total 93.60% 6.40% 100.00%

San Francisco last year got only \$13.8 million in interest on \$251,728,057 of inactive funds it deposits in 18 local banks, as distributed above. That's a paltry 5.5% return, as compared to a return by Los Angeles of 7.1% and Oakland of 7.2% for the same period.

San Francisco's entire investment portfolio is invested in banks (73% in Bank of America, Wells Fargo and Crocker-Citizens) and consequently doesn't get as much return as other cities with a more diversified portfolio.

Unlike other cities, San Francisco earned no interest at all on its active (day-to-day) deposits. In three years, San Francisco's poor investment policy has lost the city about \$17 million—an amount equal to Berkeley's annual city budget.

San Francisco isn't broke — Its general fund has \$48 million in cash surpluses

Contrary to official proclamations of fiscal "crisis," the city of San Francisco hoards \$48 million in cash surpluses in its current accounts—the biggest per capita surplus of any large city in the United States.

For ten consecutive years, while other cities spiraled perilously close to bankruptcy, San Francisco built up annual operating budget surpluses totaling \$64.6 million. Of this, \$48 million remains in the form of unappropriated balances in the current account.

City budget director David Fong could offer no adequate explanation why surpluses appeared to be accumulating over the ten-year period, even though, if true, the hoarding "would be a violation of the city charter."

The city charter states unequivocally that budget surpluses should be used as revenue for the next year.

The chief accountant for the Controller's office, Joseph Gonsolin, told the Guardian that annual surpluses recorded from 1960 through 1969 were "an accident which happens every year." Budgets are merely estimates, he explained, and always tend to be greater or less than original estimates.

So far as he knew, Gonsolin said, the ten consecutive surpluses had not been planned.

THE MOST remarkable aspect of San Francisco's \$48 million surplus is its size. Los Angeles, with a population almost five times bigger than ours and a budget twice as large, has a surplus called a "Reserve Fund" which last year held about \$65 million.

On a per capita basis, that makes San Francisco's surplus four times larger than Los Angeles'.

Moreover, the Los Angeles Reserve Fund serves purposes which San Francisco's cash surpluses do not. The Los Angeles City Charter requires that at the close of each fiscal year, "the Controller and Treasurer shall transfer all surplus money remaining in each fund . . . to the Reserve Fund."

This Reserve Fund, in which surpluses are maintained from year to year, serves as a source for sizable emergency expenditures brought on by physical catastrophes or social crises. It also helps to cover operat-

ing deficits during periods of economic downturn—such as the one currently plaguing the Bay area.

San Francisco keeps no comparable reserve fund. Our city charter does stipulate that a fund of "working capital" shall be set aside for financing municipal services between July 1, when the city's fiscal year begins, and December 10, when the city receives the first installment of property taxes for that fiscal year.

But this money, unlike that in the L.A. Reserve Fund, can't be used for covering emergency expenditures.

The amount kept in San Francisco's working capital fund, set by an ordinance passed annually by the Supervisors, came to \$22 million last year.

BUDGET DIRECTOR

Fong called the growing size of the current accounts surplus a measure of "frugal" good budgeting practices. According to Fong, Maintenance of a "cash reserve" of 10% of a city's operating budget is considered optimal by municipal financing experts. Figures that high are rarely even approached in actual practice, however, Fong said.

San Francisco's \$48 million surplus last year represented 9.7% of the city's \$492 million budget.

Fong conceded to the Guardian that it was "unusual" for surpluses in the current accounts to be growing larger each year with the city supposedly in a state of fiscal "crisis."

"I would expect the surplus to be going down, not up, during such times," he said.

Fong could not explain how a "crisis" could exist while the city retained millions in surpluses.

This means that the rest of San Francisco's \$48 million cash surplus, or about \$26 million, is available for helping to ease the city's fiscal "crisis."

This money rests in the current accounts in the form of "unappropriated balances"—that is, idle funds which have not been spent. These funds have accumulated for years as surpluses in departmental and agency accounts including the General Fund (city offices, police, fire department and library), the Road Fund, the Special Gas Tax Improvement Fund, and San Francisco Unified School District.

Of the \$26 million available

See How the SF Surpluses Grow

Increasing size of cumulative surpluses:

Unappropriated Balances, 1962-70

1962	\$22,371,995
1963	26,992,821
1964	27,404,975
1965	30,750,234
1966	36,425,301
1967	45,634,450
1968	46,529,489
1969	44,167,080
1970	48,064,814

Excess of Revenues Over Expenditures 1960-69

1960	\$ 3,811,510
1961	2,990,052
1962	4,581,853
1963	6,251,895
1964	5,295,043
1965	1,437,373
1966	8,341,686
1967	18,451,931
1968	6,516,277
1969	6,954,691
total	64,632,317

this year, Supervisors have decided to use only \$9 million.

However, one obvious explanation is that the citizens of San Francisco are being over-taxed. The argument runs like this:

During the last six years, a strong business expansion centered on the war in Vietnam and the building boom which accompanied construction of the BART system increased employment and personal incomes in the Bay region.

In such periods of rising incomes, governments tend to increase taxes, thereby building surpluses to combat inflation and to cover deficits sure to arise in later years when recession strikes.

During this same period, San Francisco, like most American cities, also increased taxes to meet growing demands for services on the part of business and individual citizens.

Now the recession has struck, bringing with it the expected fiscal "crisis." Taxes remain high. Officials meet the "crisis" by cutting services.

Meanwhile, millions in surpluses held to cover just such an eventuality remain untouched.

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(Wilbur F. Storey: Statement of the aims of the Chicago Times, 1861)

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San Francisco isn't broke —

It has the highest per capita cash surpluses of any city in the country

"I'll be frank with you," Mayor Joseph Alioto told a gathering of the nation's mayors in March. "The sky's falling in on us... We need jobs and money for the poor and have money for neither."

Back home in San Francisco, Alioto officially declared that city spending plans for 1972 would be based on an "austerity budget." The city tax base had been stretched about as far as it could go, he claimed, and the city would go bankrupt if it sought to meet the growing needs of its population.

This week the Supervisors, after slashing an extra \$500,000 from welfare requests, duly passed the Alioto "austerity budget."

Frank? Come on now, yeronner.

Take a good, hard look at the figures on these two pages. They show that San Francisco, far from "having no money," hoards cash surpluses big enough to pay for that welfare cut 200 times over:

• Down at the PUC, \$46 million is set

aside for highly questionable expansion plans and \$16 million more gathers dust for no reason at all. What's more, \$18 million in utilities profits rests on a shelf somewhere. (See PSE, this page.)

• Over in the Treasurer's office, investment policies that would shame a nickel-and-dime stockplayer are bleeding the city of \$6 million every year. (See banks, facing page.)

• In City Hall, officials poormouth while \$17 million molders beneath their noses. (See general fund, facing page.) Altogether, that's \$103 million keeping the sky from falling in just yet.

On one point, though, Alioto's dead right. The taxpayer has had it.

Seeing as how he's been overtaxed for years as these huge surpluses amassed, it's not difficult to understand why.

(The articles on these two pages are by Martin Gellen, a member of the Bay Area Institute. Victor Honig aided in research.)

San Francisco isn't broke —

But its annual financial reports come in so late nobody knows how rich it is

ONE CRUCIAL reason San Franciscans are overtaxed is because they cannot obtain reliable up-to-date information about the financial condition of the city when it comes time to levy taxes and make up budgets. The annual report of the City Controller for the fiscal year ending June 30, 1970, was not published until the following May, after public hearings on the next budget had already begun.

By contrast, the annual report for the same period for the State of California was available by the middle of September, 1970. Richmond, across the bay, issued its annual report on Oct. 1, 1970. Los Angeles issued its report on Nov. 1, 1970.

Although San Francisco's report has never surfaced so late before in city history, these long delays seem to symbolize the yearly rhythm of San Francisco financial operations.

The financial report for the fiscal year ending June 30, 1969, was not issued until Dec. 10, 1969.

By contrast, the City of San Jose issued its annual report for fiscal 1969 in early October, 1969, with a statement of audit dated Aug. 31, 1969.

Such delays limit drastically the scope of public information and public deliberation on city financial planning. Since the charter requires that ordinances establishing the tax levies for the fiscal year be enacted no later than Sept. 15 of that year, it is virtually impossible, with no financial information available, for Supervisors or the public to make even a good guess what the tax rate should be.

During a debate last September on the setting of various tax levies, Sup. Boas wanted to know the amount of the budget surplus for the previous fiscal year ending June 30, 1970. When Boas checked with the City Controller, the Controller's office informed him that it was "between \$6 and \$9 million."

The actual report, issued eight months after the Supervisors' debate, shows a surplus of \$14 million—more than 50% greater than the highest estimate made in September. Thus, the Supervisors were flying blind when they set the tax rate last September.

The City Charter stipulates that the Controller provide the mayor, supervisors and chief administrative officer with a quarterly financial report "no later than the 25th day of the month succeeding the last preceding quarter." (Sec. 65)

BUT THE Controller's office is incapable of doing even this. The quarterly report covering the period from July 1 to Sept. 30 was not available to city officials until March 15, 1971—almost five months late. The report for the autumn quarter came out on the first of May—three months late—and the report for the winter quarter, due April 25, is still being compiled. (God knows when it will appear.)

This breakdown in the city's accounting system casts doubt on the assumptions underlying the city's financial planning. On Jan. 13, 1971, City Controller Nathan B. Cooper publicly announced his office had not yet issued the annual financial report for fiscal 1970.

The reason for the delay, Cooper asserted, was a huge increase in checks payable by the City Treasurer, particularly for social services. "It's a lot of paper for us to keep track of," Cooper explained. His accountants were working hard on the report, Cooper said, and it would be ready in three or four months—that is, by April or May.

Yet, with no financial report available for the previous year, let alone for the two previous quarters of the current year, Mayor Alioto issued his do-it-yourself financial statement two weeks later (Feb. 2, 1970). The year 1972, he claimed, "is going to be a tough fiscal year.... There is a practical property tax ceiling in San Francisco which requires belt-tightening and the elimination of non-essential programs."

THE REPORT was finally published during the week of May 5. By this time, the Supervisors had completed one day of public hearings on the budget and had essentially completed their process of reviewing and revising Alioto's "austerity" budget for 1972. Two weeks later, the budget whizzed past the board with full approval.

For the taxpayer, it's difficult to overstress the seriousness of this situation. If he has no access to timely information on the financial status of the city, he has no practical way of influencing the budgetary decisions he pays for.

Or, look at it this way. What would you do if you were a shareholder in U.S. Steel and the company president announced: (1) U.S. Steel was in a state of financial crisis, and (2) the company's financial statements would be issued ten months late because the Controller was behind in his work?

San Francisco isn't broke —

Its public utilities hoard \$62 million in cash surpluses

THIS YEAR, for the first time in memory, Supervisors have dipped gingerly into surpluses of the Public Service Enterprises as an "emergency measure" to help ease the city's "financial crisis." Yet the amount they decided to use is birdseed compared to what is available in whopping cash surpluses.

More than \$62 million in cash surpluses sits idle in the P.S.E. coffers. Of this, the Supervisors have budgeted only \$3.25 million. That's 5.2%, less than you pay in sales tax.

The facts are startling:

1) The P.S.E. is currently hoarding \$15.5 million in un earmarked cash surpluses.

2) The P.S.E. has set aside another \$46.5 million in cash surpluses for expansion of the port and the airport, which may never take place.

3) If, like other cities, San Francisco would transfer its public service revenues into the general fund, the city could reap \$20 million annually. Such sums would go a long way toward holding down or reducing taxes.

What is Public Service Enterprises? This giant business organization is one of the city's largest, controlling more than three quarters of a billion dollars' worth of land, buildings and equipment. It is better known by the name of its subdivisions: San Francisco Water Department, Hetch Hetchy Power Project, San Francisco Port, San Francisco International Airport and the Municipal Railway.

All are owned and operated by the city of San Francisco and all, with the exception of the tax-supported Municipal Railway, are self-financing and have reported sizable profits for the past several years.

THESE PROFITS, however, have not been returned to the ultimate owners of P.S.E., the citizens of San Francisco. Instead, they have been allowed to accumulate as massive surpluses. Here are the figures:

• P.S.E. profits for fiscal 1969 (excluding the Municipal Railway) were \$24,974,008. None of this sum was transferred to the city's general fund.

• PSE cash surpluses, including the 1969 profits, at the end of fiscal 1969 stood at \$93,201,447.

• PSE profits for fiscal 1970 (again excluding the Municipal Railway) were \$18,297,156.

• PSE cash surpluses, including the 1970 profits, at the end

of fiscal 1970 had risen to \$107,592,000, a gain of \$14.3 million.

This process of fattening cash surpluses with utility profits, at the taxpayer's expense, has gone on for years without public notice or challenge. Some of this cash is obligated for payment of accounts receivable—but most of it is not.

Of the \$107.5 million in cash surpluses remaining at the end of fiscal 1970, for example, some \$45.5 million was obligated. The

A CITY DEPARTMENT THAT MAKES MONEY

Profits of Public Service Enterprises excluding Muni 1960-70

1960	\$ 9,491,617
1961	11,179,280
1962	9,542,141
1963	11,720,261
1964	13,337,736
1965	12,510,575
1966	15,245,646
1967	16,452,841
1968	18,537,715
1969	24,974,008
1970	18,297,156

remainder, \$62 million, was designated as an "unappropriated balance." This money was available to Supervisors to help ease the city's fiscal "crisis." But they used only a paltry \$3.25 million.

Upon closer examination, the \$62 million can be broken down further. These figures are not mentioned in the intricate, highly confusing Controller's Annual Report issued in limited numbers to the public on demand. However, a check of the more detailed Controller's Report, circulated among high city officials, reveals that \$46.5 million of the unappropriated balances rest in the "capital account" and \$15.5 million sit idle in the "current account."

THE \$46.5 million in the capital account is earmarked for expansion of the port and the airport. Neither expansion has been formally approved—and both would be hotly debated by environmentalists. More: expansion of this magnitude is customarily financed by the issuance of

bonds, not by cash surpluses.

Doesn't our "fiscal crisis" mean that the supervisors should promptly consider drawing upon these expansion funds?

Of course, there's a catch, two of them.

First, the City Charter allows Supervisors to transfer only those surpluses in excess of 25% of each utility's operating budget. However, the surpluses we're talking about far exceed 25%. Supervisors could also move to eliminate or water down this charter provision so that city utilities could be required, as in other cities, to contribute a set percentage of their revenues into the general fund.

The second catch is less specific but in practice more serious. In an extremely confusing opinion, the City Attorney has ruled that "a surplus in the Public Service Enterprises exists only when the Public Utilities Commission says it exists unless the Board of Supervisors says it exists."

As a result of this legal morass, the PUC by default exerts independent authority over the funds it manages. In short, the citizens of San Francisco own and operate the Public Service Enterprises, but their financial control is held by the Public Utilities Commission (and the Airport Commission).

The PUC prefers to pile up its surpluses rather than let the public benefit from them in lower taxes or better services. The classic example: the PUC recently voted to "save" \$154,000 annually by cutting back California Street cable car service on evenings and weekends.

There is no reason for Supervisors to support PUC empire-building by refusing to transfer cash surpluses except as an "emergency measure." Several other cities annually transfer into their general fund a portion of, not just the profits, but the total revenue of municipal utilities. Los Angeles, for example, annually transfers 5% this way. If San Francisco did this, its general fund would be enriched by an extra \$3.4 million each year.

SEATTLE, PASADENA, Palo Alto, Riverside and San Antonio, Texas, take an even larger portion. Jacksonville, Florida, takes 30%. A 30% transfer in San Francisco would mean at least \$20 million annually. (See p.12 for fuller report on how profits

from public power utilities held taxes down.)

Utility officials usually object to this practice on grounds that large transfers of revenues to the city would jeopardize their bond ratings. However, Erwin Piper, Los Angeles City Administrative Officer, recently said this objection was baseless.

"Clearly," Piper said, in a Los Angeles Times story, "there is no relationship between the size of contributions to the city and the rating accorded a utility's revenue bonds by Moody's bond rating service."

"The electrical departments of Pasadena, Glendale, Riverside, Austin, San Antonio and Seattle all contribute far more proportionally [than Los Angeles] to the general funds of their cities and all still enjoy double-A or better ratings."

Revenue certificates of the Jacksonville Electric Authority are rated double-A, according to Piper, yet the city of Jacksonville, with a population of 600,000, is currently taking \$18 million in utility revenue.

If San Francisco were serious about tax relief, it would buy out PG&E and sell its own Hetch Hetchy power to its own citizens in San Francisco at a profit of \$40 million a year. The profits would be distributed in lower utility bills and a subsidy for the general fund. (For more on buying out PG&E, see Petrakis, p.12.) Add this \$40 million to the \$20 million available to the general fund from utilities revenue, and property taxpayers could be spared \$60 million from their current bill of \$230 million. That's almost 30%.

PUC's hook into the rough — 'Wreckreation' in S.F.'s Peninsula watershed

By Marilyn Morgan

A substantial chunk of San Francisco's Peninsula watershed is up for grabs. If you've built and operated at least two country clubs, you may apply.

This land is closed to common access. It stretches between San Bruno and Woodside in San Mateo County, comprising 23,000 acres of lush, wooded open space. The San Andreas, Pilarcitos, and Upper and Lower Crystal Springs Reservoirs there hold the water supply for San Francisco and most of the Peninsula. This land is your land, public land, but by the time the PUC gets through with it, it will be a country club.

The story really goes back to 1958, when the State decided to extend Junipero Serra Freeway (Route 280) through the watershed to Woodside.

In 1964, when James Carr took over the PUC, the city reversed its approval of the freeway location and demanded rerouting of a portion of it.

The section in dispute was a four-mile stretch along Upper Crystal Springs Reservoir between Belmont and Woodside.

Carr insisted that the construction and operation of a freeway there would contaminate Crystal Springs.

Not in addition, as Water Department Manager Arthur Frye stated, "The recreation potential is considerably better for the 'Ridge Route' as this route concentrates the activities at the southern end of the property which is more suitable for development."

San Francisco was so anxious to get the Ridge Route that the city signed an agreement in 1969 with the State, San Mateo County and the federal government which set aside 19,000 acres as an ecological preserve "in perpetuity." This Preserve is closed to the public. But 4,000 acres can be opened for "outdoor recreation" as

long as it is "compatible" with the concept of open space.

MUCH OF the 4,000 acres is too steep for development, but businessmen have coveted choice sections for years: the gently sloping ground at the southern end of Crystal Springs Reservoir (right below the Ridge Route) is ideal golf course terrain. Now it looks as though they'll get it.

In March 1971, the PUC advertised for a concessionaire (lessee) to build and operate a recreation complex on 700 acres at the southern end of Crystal Springs.

The project, the PUC said, would include 3 or more golf courses, 24 or more tennis courts, and 4 or more swimming pools, plus "necessary support facilities" (clubhouses, restaurants, etc.). One of the golf courses would be open to the public.

Only those who had built and operated at least two similar complexes could bid, and less than a month was allowed for submissions. This effectively eliminated any municipal agency from developing a proposal.

It looked as though the project would be rammed through without public participation, despite some mutinous grumbling from San Mateo County residents and conservationists.

PUC General Manager John Crowley, Carr's successor, was trumpeting, "We have some big boys interested in this." Boise-Cascade was one, he said. The PUC offered vague assurances about public meetings, "experienced, competent" developers, strict control, a "poor man's man's country club." A master plan was "under development."

(Apparently this was not true. The PUC was referring to the 1968 Wilsey-Ham report, left over from the Ridge Route skirmish. This report was supposed to demonstrate the public recreation potential of the watershed, and outlined general development concepts.



White area: 19,000 acre ecological preserve, closed to the public. Striped: 4,000 acres to be opened to outdoor recreation. Crosshatched: Where PUC wants "poor man's country club."

But it was written by engineers, not planners. The federal agreement specifies that any development must be "compatible" with this report.)

FIVE PROPOSALS from developers were received, but when the Guardian asked to see them, we were told they were "corporation auditions," "proposals of intent" and "credentials," and "not public information."

The names of the developers were available, however, and although Boise-Cascade was missing, the familiar motivation was there: "We're all looking for a little profit, let's face it," one told the Guardian.

Canada Associates is the arm of a local securities/investment firm.

Robert Trent Jones/Metcalf & Eddy is a golf course designer/civil engineering combine.

San Francisco Recreation Facility is a wealthy lawyer/golf course designer/country club developer team.

Club Corporation of America—well, it's from Dallas.

Only one, Allan Hammer Associates, is oriented toward ecological concepts.

The project has been slowed because of a demand by SPUR and Committee for Green Foothills for public hearings and a

detailed master plan conceived by experienced environmental planners.

The Department of the Interior has final authority over any development (by the terms of the 1969 agreement), and the San Francisco representative, Frank Sylvester of the Bureau of Outdoor Recreation, has concurred with these demands. He has said he will veto any "pre-mature" or "low-quality" proposals. He would not comment on the presently-conceived project.

THE PUC has so far ignored SPUR's specific suggestions for environmental planners to do the master plan. Conflicting information has been released regarding the size of the study area for the master plan and whether a concessionaire will be chosen beforehand. When the Guardian asked Crowley who would develop the master plan, he replied, "None of your business."

He did reveal that a committee of PUC officials, plus Sylvester, will choose the developer. Later, one San Mateo County Supervisor and a single citizen (method of selection not revealed) will be asked to join the committee to review the developer's proposal.

Public hearings will take place after all the important decisions are made—when the final devel-

opment proposal is presented to the PUC and the Art Commission. You can protest, but you can't participate.

As for the complex itself, even the four developers we talked to acknowledged it was "heavy" for the area. Three golf courses would eat up 500 acres; four would take 640 acres. Add to this tennis courts, pools, parking lots, clubhouses, perhaps a restaurant.

It is true that there is demand in the area for more golf courses. But golf is a specialized, expensive form of recreation. Is it fair to open the watershed to the public and simultaneously cut off a substantial portion of the population who do not play golf? Additionally, there is no assurance that picnic spots, secluded areas, hiking and bicycle trails, or areas for simple, low-cost family recreation will be included in the development.

Finally, though golf courses are compatible with open space, as required by the 1969 agreement, tennis courts and pools surely are not.

The concern with profit virtually assures that environmental factors and simple, low-cost recreation facilities will be ignored. Or as Michael Fischer of SPUR wistfully put it, "Doggone it, this is public land, and shouldn't be treated as a private country club."

The million dollar question

Continued from page 2

This policy brought a 7.24% return for Oakland in fiscal 70-71, as compared to San Francisco's 5.5%.

Los Angeles follows a similar policy and did almost as well as Oakland. "It was an exceptionally good revenue-producing year," Charles Navarro, Los Angeles City Controller, told the Guardian. Because of "soaring interest rates that year," he said, Los Angeles received a "record-

breaking" return of \$18.8 million in interest on an investment of \$263 million. That's 7.1%.

Even smaller cities with less financial leverage do better than San Francisco. Both Redwood City and Sunnyvale received between six and seven per cent last year. San Francisco's investment performance in fiscal 69-70 was one of the poorest in the West among larger cities, a Guardian survey shows.

Informed of these findings, officials in the Treasurer's Department expressed amazement. "I've been told that we get a higher rate than most cities because we keep all our money in the banks," said Thomas Scanlon, assistant treasurer.

THE STORY is the same for previous years. In the year ended June 30, 1969, San Jose, investing only 1.5% of its inactive \$35.8 million in commercial banks and the rest in Government Securities,

marked up a return of 5.92%. That same year San Francisco earned 4.3%. The year before, San Francisco's inactive deposits brought in a minuscule 3.8%.

All this may sound like nit-picking between percentage points, but it is not. Consider:

- San Francisco consistently earns about 2% less than other cities with its inactive fund investments.

- If San Francisco last year had invested as well as Los Angeles did, it would mean an extra \$4.25 million for the city treasury. By contrast, the 25 per cent parking tax, enacted last year because of "shortages" in the treasury, doesn't raise this much (\$3.7 million.)

- If the city had invested at the going rates in fiscal 1969-70, when certificates of deposit for \$100,000 or more brought interest rates ranging from 6% to as much as 8%, it could easily have earned another \$7 million. The regressive 5% utility user tax is expected to generate about this much.

- Including \$2.2 million in lost interest from active accounts, the city's total investment loss in just the last three years amounts to about \$17 million. This is \$3 million more than the expected yearly take from the combined gross receipts and employers payroll taxes.

- Don't you get the idea that a

taxpayer with a \$100 bill can do better with his money than San Francisco with a portfolio of \$250 million?

IN SUM, each improvement of one percentage point in interest means an extra \$2.5 million for the city's general accounts—an amount that grows with the size of the city budget. Each loss of a percentage point also gives San Francisco's commercial banks, not only \$2.5 million in interest they no longer have to pay, but another \$2.5 million they can loan at high rates.

Why does San Francisco year after year continue to invest its entire portfolio in the commercial banks despite low interest rates? Bank officials aren't talking, and City Treasurer Goodwin sticks to his lame explanation that the city is "helping out the local economy."

Perhaps the best clue can be found in a remark to the Guardian made by Adri Boudewin, a Bank of America public relations staffer. Asked why the city would invest 34% of its portfolio in Bank of America when other banks offered significantly higher rates, Boudewin cited "Other services you do for the city—the number of bonds you buy, for example."

Bank of America, along with Crocker-Citizens (where the city invests 24% of its portfolio), holds most of the city's bonded indebtedness of \$347 million. This means that tax revenues, which help pay off the bonded indebtedness, represent a permanent source of profits for the banks. It also means that, through their control of the bonded debt, the banks have substantial lever-

age in influencing economic development in the city.

Last year, for example, when Airport bonds got no bidders on the municipal bond market, Mayor Alioto negotiated an "agreement" with Bank of America and Crocker-Citizens for sale of the bonds.

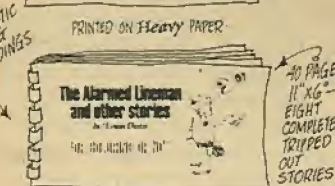
Such an arrangement was not at all unusual, Alioto insisted. "The city has been doing business with them for many years," Alioto said, "and expects to keep doing business with them for many more." Alioto then explained that "they [the banks] have realized that the banks and the business community have a real stake along with the rest of us in the continued development of the airport."

The same day Alioto made this statement, Marvin Cardoza, a 56-year-old Bank of America vice-president, was named to a seat on San Francisco's Public Utilities Commission, which supervises the city's far-flung utility empire.

Announcing the appointment, Alioto praised Cardoza and proclaimed that the new commissioner would "bring to the Public Utilities Commission a combination of know-how and imagination to assure the orderly development of our utilities. He has insight into municipal finances." Cardoza is now the chairman of the PUC.

The \$17 million lost through bad investment policies in the past three years is not recoverable. Seventeen million dollars, let us emphasize, is a lot of money. It's the size of the annual city budget of Berkeley.

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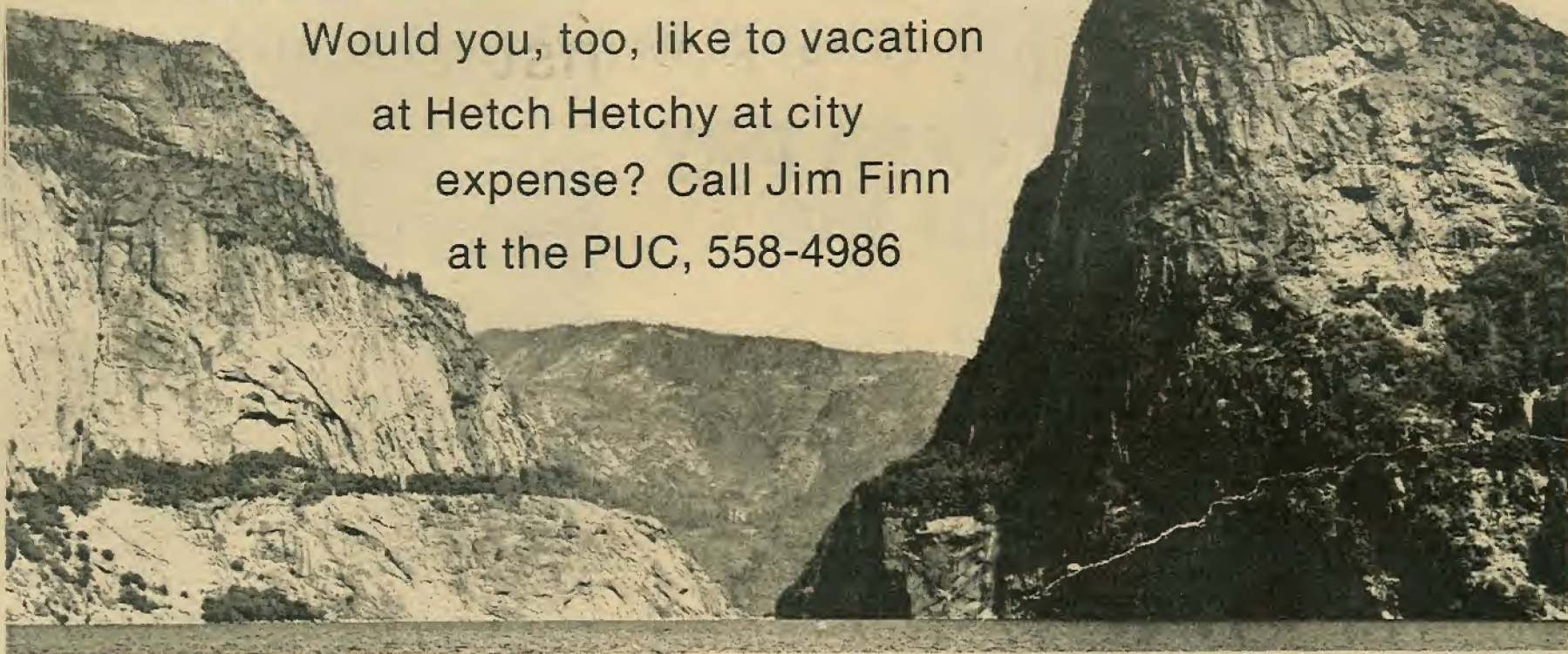
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Are you a 'key person' in San Francisco? Would you, too, like to vacation at Hetch Hetchy at city expense? Call Jim Finn at the PUC, 558-4986



Photos PUC Public Relations

By Greggar Sletteland

"The weather will soon permit use of the Hetch Hetchy facilities for the coming season," then Mayor Jack Shelley wrote to PUC President Thomas F. Stack on a chilly February day in 1965.

Shelley proposed in the letter that San Francisco take "maximum advantage" of its rustic guest cabin high in the Sierras by opening it to "important State and Federal officials . . . business, community, labor or other important city officials."

"My objective," Shelley wrote, "is to acquaint key people of San Francisco with the magnificent public plant that has been made possible by the taxpayers."

In the years since, Supervisors, judges, grand jurors, PUC Commissioners, newsmen, have flocked to the scenic Hetch Hetchy valley in numbers that confirm Mayor Shelley's hopes—and then some.

In the last 18 months alone, the city, according to a Hetch Hetchy report circulated within the department, has served up 2,621 meals at Hetch Hetchy's O'Shaughnessy guest cabin during 'the season.' For these meals, the city has picked up a \$12,746 tab.

Not included in this amount is the bill, size unknown, for upkeep of the cabin, built at a cost of \$29,000 in 1938 for reasons no one can now recall with certainty, though some say it was to entertain President Franklin Delano Roosevelt during one of his West Coast visits.

The total bill to the taxpayer would be even higher, but the O'Shaughnessy area is buried in snow from November through late April, confining the season of the dignitary to six months or so.

Can the ordinary taxpayer who "made possible" the O'Shaughnessy facilities take a few days' rest there away from the rat race?

Not unless he's a "key person." Even city employees on work-projects at the nearby O'Shaughnessy dam can't stay at the cabin. There's a bunkhouse for them.

Each meal served to a dignitary by the city costs the taxpayer \$7.08, according to the previously mentioned PUC report. This is only an average, mind you. Figure three bucks for breakfast,

another three for lunch, and \$15 or so for dinner. The city could get away for less by wining and dining officials at the St. Francis.

TO LEARN more about the sporting season at Hetch Hetchy, the Guardian ventured over to PUC headquarters. After a two-week struggle in the Water Department's accounting section, Chief Accountant Milt Brown agreed to open his books on the guest cabin, including vouchers containing the names of visitors. (See box.)

A quick tabulation of names and bills, however, revealed that, of the 2,621 meals served, vouchers accounted for only 514.

"We only get vouchers for guests who have paid," Brown explained. "Since the others ate free, naturally we would have no bills with their names on them."

Brown's remark inspired a merry Guardian chase through the PUC in pursuit of 2,107 missing meals and 301 missing dignitaries. (On the average a dignitary eats seven meals during his stay at O'Shaughnessy; 2107 missing meals divided by seven meals per dignitary means 301 missing dignitaries.) Here are the highlights:

James Leonard, PUC's public relations director, proclaimed innocence and pointed toward Hetch Hetchy Director Oral Moore.

"We file a boarding house report," said Moore. "It's a complete record of what happens up there." Could we see that report?

"We send it on over to accounting," said Moore.

Said Milt Brown, in accounting, "We don't have any boarding house report."

Moore, when told of Brown's remark, said, "I assume they destroy it."

Then the city kept no records of who had been staying in the guest cabin?

"There's never been any requirement," Moore explained, "that we keep records of who goes up there."

But then who decided which San Franciscans were important enough to stay in the cabin? Who decided which guests would have

SF's guest cabin (left) furnishes fine Hetch Hetchy view (above) and feasts for officials.

to pay and which the city would pick up the tab for?

"You'll have to ask Jim Finn about that," Moore said. "He's the one who handles all this."

THE MAN who would have all the answers, PUC Secretary James Finn, proved a formidable obstacle to further enlightenment. Finn confirmed he (in consultation with PUC General Manager John Crowley) decided who would use the guest cabin. Finn at first wasn't sure, really, who went up there.

"I learned a long time ago that I don't inquire to Commissioners or Supervisors about who's going to O'Shaughnessy."

Why not? "They don't answer," said Finn. "They say it's none of my damn business."

Asked to explain the city's policy on use of the guest cabin, Finn said it was set forth in Shelley's letter calling for the cabin to be put to "maximum advantage." Beyond defining "city officials" as those "so specified by the city charter," he would not elaborate.

If he didn't keep a list of former guests, the Guardian asked, did he have a list of reservations for the coming season?

Finn said he didn't. "The less I know about the party and the politics of it," he said, "the better off I am."

William Bourne, Deputy City Attorney who acts as PUC attorney, voiced mild distress when told of missing, possibly destroyed, records, involving thousands of dollars in city funds. He said he would huddle with Finn on the matter.

Later, Bourne told the Guardian Finn did indeed keep a reservation list. "It's on a little pocket calendar," Bourne said. In Bourne's view that calendar was not an official document and therefore unavailable for public inspection.

Even if the reservations had been listed in the more formal fashion one might expect for documents describing official city business, those lists would still not be available, Bourne said.

REMINDED THAT \$12,000 in city funds for the past 18 months alone was involved, Bourne acknowledged that the PUC might have been "lax" in its record-keeping. "But that's not my department," he said.

From that date on, Finn was out when the Guardian called.

The Guardian put through a call to the residence in Groveland, California, near Moccasin, of Mrs. Irene Kimmey, listed in city payroll records as the "housekeeper" for the O'Shaughnessy cabin.

"She's up to the cabin," said Mr. Kimmey. The answer was the

same for eight subsequent calls placed to Mrs. Kimmey on eight different days.

Meanwhile, another season of the dignitary has come.

Would you like to vacation at Hetch Hetchy at city expense?

Are you a "key" person in San Francisco?

Give a call to James Finn, reservations clerk, at 558-4986.



PEOPLE YOU SHOULD GET TO KNOW

Those in bold type ate, at taxpayer's expense, 150 of 3,500 meals served at Hetch Hetchy guest cabin in the last two years. Those in small type ate 500 meals paid for by friends in bold type. People who ate the 1,950 missing meals, with the taxpayer paying, are too important for the public to know.

FALL, 1970

John D. Crowley*
*General Manager, P.U.C.
Oct. 16-19, 1970
C. Crowley, M. Marino

Marvin A. Cardoza*
*President, P.U.C. & Urban Affairs
Officer, Bank of America
Oct. 14-16, 1970
J. Cardoza, J. Holbrook, A. Ziph,
L. Freschi, M. London

Hon. Joseph J. Diviny*
*P.U.C. Commissioner, labor leader
Oct. 8-11, 1970
J. McGeehan & wife, J. Ferrell & wife

Eneas J. Kane*
*S.F. Housing Authority, former
P.U.C. aide
Oct. 12-14, 1970
F. Lucoza & wife, T. Ferguson

Hon. John A. Ertola*
*S.F. Supervisor, now Superior
Court judge
Oct. 22-25, 1970
Mrs. J. Ertola, Mrs. Smith, Mr. C. Ertola, Sr., Mrs. C. Ertola, Sr., B. Ertola, W. Ertola, Dr. Para & wife, C. Ertola, Mr. Lettie & wife

SPRING, 1970

Oliver M. Rousseau*
*P.U.C. Commissioner, homebuilder
May 1-3, 1970
D. O'Neill, L. Breito, L. Goldman, B. Coon, J. Rolph II, R. Smith, L. O'Neal

Oliver M. Rousseau
May 8-10, 1970
L. Byington, Dr. Selak & wife, J. Tynan & wife, Mr. Hirsch & wife

Eneas J. Kane
May 15-17, 1970
K. Kane, T. Ferguson, C. Raudebaugh, C. Roberts

Wallace R. Lynn*
*P.U.C. Commissioner
May 22-24, 1970
D. Lynn & wife, D. Lynn, Jr., G. Lynn

John P. Crowley*
May 29-June 2, 1970
J. Kealy

FALL, 1969

Eneas J. Kane
Nov. 7-9, 1969
Mrs. E. Kane, T. Ferguson, K. Roberts, C. Raudebaugh

FALL, 1969.

John D. Crowley
Nov. 27-30, 1969
Dr. Christiansen & wife

John D. Crowley
Oct. 24-26, 1969
Dr. Christiansen & wife

Bert Simon*
President, Globe of California
& former P.U.C. Commissioner
Mr. Joffee, Dr. Wise & wife, Mr. Phelan & wife

Hon. John A. Ertola
Sept. 11-14, 1969
J.A. Ertola, C. Ertola & wife, Mr. Gatti & wife, Dr. G. Pera & wife, Mrs. S. Adamson, Mrs. M. Clark

Eneas J. Kane
Sept., 1969
Mr. T. Ferguson

John D. Crowley
Aug. 8-10, 1969
Gen. Snoddie & wife

Hon. Richard N. Goldman*
*P.U.C. Commissioner
August 20-21, 1969
Mr. Seidman & wife, Mr. Schwartz & wife, Mr. Peidoza & wife

SPRING, 1969

Hon. Richard N. Goldman
June 20-22, 1969
P. Arnstein, W. Block

Oliver M. Rousseau
June 13-15, 1969
C. Bortlie, B. Corton, C. Roga, B. Reid, G. Oaks

Hon. John A. Ertola
June 5-8, 1969
Ron Ertola, J. Picetti, M. Rozano, Q. Kapp, I. Felmer, C. McInari, H. Aney, G. Connell, R. Monaco, B. Vernazza, L. Stefanelli, P. Fontana, R. Gardner

James K. Carr* Party
*General Manager, P.U.C.
May 29-June 1, 1969
Miss Carr, Mr. Bennett & wife, Father Moore, A. Leroy

Oliver M. Rousseau
May 16-18, 1969
J. Kernan, J. Lovely, D. O'Neill, J. Rolph, L. O'Neal

Eneas Kane
May 8-11, 1969
Kathy Walker, Betty Walker, C. Raudebaugh, Ted Ferguson

Highrises crowd us and congest us and steal our views— And they don't even pay their fair share of the city's taxes

By Martin J. Kupferman

"IF RUSSELL Wolden were running for office today, he'd surely be elected."

This statement by a San Francisco home owner is not a call for the return of Wolden's "Last Hurrah" style in city hall. It's just a nostalgic commentary on Wolden's policy of holding the line on residential property tax assessments and instead taking up the slack with higher assessments on business property.

For a complex set of reasons, the homeowner and renter now find themselves on the wrong end of a lopsided tax structure. Not only do they pay a much larger tax bill individually, but also as a group they contribute a substantially larger proportion of the City's total tax bill than they did in 1966. At the same time the downtown business area pays a proportionately smaller share than it did five years ago. (See box 1.)

Why? Why is the homeowner and the renter called upon to bail out the City financially while big business and skyscraper finance swell, prosper and put 21 highrise office buildings and 10 million square feet of office space in downtown San Francisco in the past 10 years?

The single most important reason is the Petris-Knox Act (AB 80), which passed the Legislature in 1966. This bill set up the machinery for all California counties to standardize assessments at 25% of a house's full market value. Before AB 80, San Francisco policy was to tax residential property generally about 14% and business property at 25% of total market value. Thus, the bill brought a dramatic rise in residential property taxes and a decline in downtown business taxes.

TO ILLUSTRATE AB 80's effect, I took three typical blocks and calculated their assessments in 1966 (pre-AB 80), and again in 1967 (immediately after AB 80). One, in the downtown highrise area, is bounded by California-Pine and Sansome-Montgomery Streets (in shaded area of map, below). Its assessments, I found, fell by 20% as a

result of AB 80 and the standardizing of assessments. Meanwhile assessments in a block bounded by Broderick-Pacific and Octavia-Gough, in the wealthy residential area of Pacific Heights, rose by 82%.

Finally, on a Richmond district block of predominantly one- and two-family homes, assessments rose by 273%. This mammoth increase was reflected in varying degrees in all one- and two-family units throughout the city.

While downtown interests certainly fared well under AB 80, it was not enacted specifically on their behalf. It resulted from the Wolden bribery scandal.

The Supervisors, initially supported AB 80 (later reversing themselves), and it passed the legislature virtually without opposition. Few realized that standardizing assessments was a policy decision that would redistribute large amounts of wealth to the disadvantage of the homeowner and renter.

The redistribution may have involved a good deal more than the \$200-300 rise in property taxes. The prospect of having to pay the greater amount, not in just one but in future years, has discouraged prospective homeowners from buying. The decline in demand led in turn to a fall in property values.

Present San Francisco Assessor Tinney in a recent interview denied such a decline took place. He maintains that if this was true he would have slashed assessments, despite the politically dangerous prospect that this would have necessitated a higher tax rate to raise the same amount of revenue.

A doctoral thesis in economics by Roger Stafford Smith at UC Berkeley is at odds with Tinney's assertion. Smith states, for example, that houses with an average value of \$30,300 lost as much as \$4,478 off their expected sale price. Furthermore, each rise in taxes of \$1 resulted in a \$19 decline in market value.

THIS TOOK place, he wrote, when it became clear to those people buying homes for

investment that each year higher taxes would reduce their future net income from the property. Single family units declined, on the average, between 14 and 15%, Smith reported.

Smith's estimates tend to be high. (A Sunset realtor estimated that somewhere between \$5-\$10 was lost with each \$1 rise in taxes.) Yet Smith's perspective is largely accurate. The exact amount changes from case to case.

But even if no decline in actual value took place in the majority of neighborhoods, the local market for one and two family homes has been greatly weakened and results, certainly, in greater difficulty for those seeking to sell their houses.

This two-pronged jolt—increased tax bills and decreased property values—was felt by every type of residential section in San Francisco. The property tax boost was passed on to renters even though they paid no property tax directly to the City. This undoubtedly worked a hardship on those with incomes under \$5,000, 78% of whom rent their quarters. Those on welfare had to turn to city or state agencies for help in meeting the added cost of rent. Hardest hit of all, according to Col. Martin Fellauer of the West Twin Peaks Taxpayers Committee, were the elderly on fixed incomes who are too proud to turn to the government for assistance.

For others, the high and rising cost of owning a home has had more subtle effects. Jack Bartolini, head of Taxpayers Revolt, says "Property taxes have eliminated the dream of a young family to ever own a home in San Francisco." Taxes for a family owning a \$30,000 home will come to something over \$80 per month, Bartolini estimates.

TINNEY LAYS all blame on the legislature. "The legislature is simply not responsive to the needs of the homeowner," says Tinney. He points out that all attempts at reform benefitting the homeowner have been shunted aside. The City-State financial structure must be revised, Tinney maintains, so some rising costs of running the City will be met by the State. In addition, he feels that the City must be allowed to give homeowners a break in relaxing the AB 80 ratio it has been required to apply to them.

Bartolini, however, feels the City could have done much more to ease the homeowner's burden after AB 80. He goes so far as to say: "If Wolden were still the Assessor after AB 80, I expect property assessments would largely have remained the same, outside of a reasonably inflationary rise, as before passage of the law."

In his view, assessments are merely opinions of value made by those more sympathetic to businesses than the homeowner. Bartolini points to the deductions now given to businesses (such as depreciation, second mortgages and maintenance) but not to homeowners, who are less inclined and able to protest high assessments.

In a 1967 letter to voters,

Joseph Alioto, then a candidate for mayor, pledged to shift the tax burden back to big business. (See Box 1.) Yet it is clear that this shift has not taken place.

The City has refused to move despite the A.D. Little report on city taxes. It recommended: "The City does not have to take a passive stand in respect to these developments. The City may cushion the harsh effects of reassessment by imposing business and other non-property taxes that would divide the City's tax liability along more customary lines."

"In so doing, the City would insure that both the City's resi-

dents and business community, respectively, would continue to contribute what has traditionally been regarded as their fair share to financing City government."

ONE WAY to ease the effect of AB 80 would be to decrease the importance of property taxes as a source of revenue. The Little report went on to say that \$58 million in business taxes was needed to fully shift the burden back from the resident to the businessman.

It recommended a shift of about half this amount—\$29 million—so as not to strain the

Continued on page 25

The tax effect of the high rise boom

Year	Total Assessed Values (\$000,000) Central Business District	Total Assessed Values (\$000,000) City of San Fran.	Assessed Values of Central Dist. As % of Total
1950-1	242.5	883.4	27.5
1959-60	284.5	1,141.3	24.9
1970-1	409.9	1,974.1	20.8

These figures indicate that, despite the feverish pace of high rise construction, the downtown area has fallen in its contribution to the total of San Francisco property taxes.

The percentage contribution of the central business district, outlined on the map, has fallen 6.7% over the past two decades. The assessed values (upon which property taxes are based) have risen, but those of the rest of the City have risen at a faster rate.

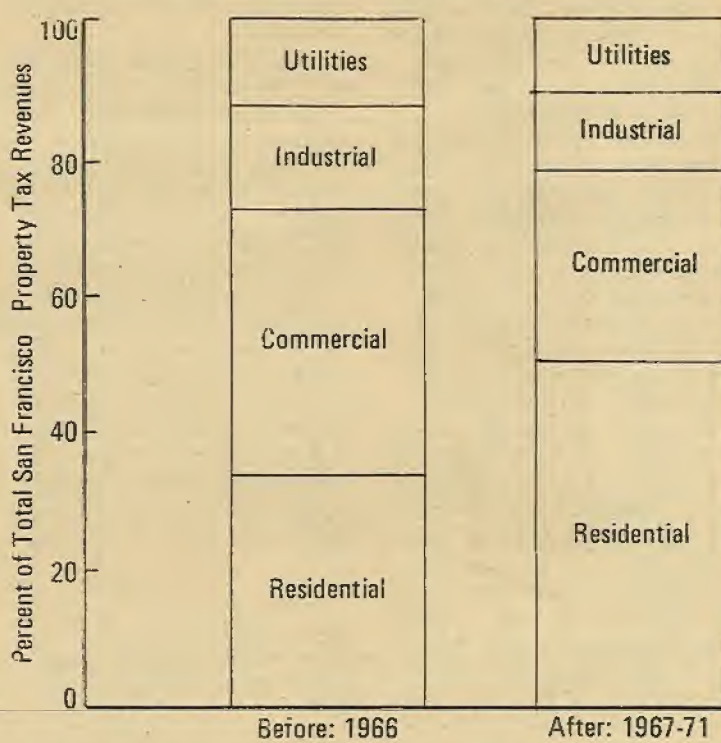
This drop in the proportion paid by the business district comes despite the addition of 21 skyscrapers and 10 million square feet of office floor space to the area's tax base over the past 10 years.

Central Business District includes Assessor's Block Numbers 218-233, 234-289, 290-355, 3701-3714 as designated in map.

Source: Paul Wendt's "Dynamics of Central City Land Values," (1950-1, 1959-60) a UC Press book on SF/Oakland land values.

1970-1: Martin Kupferman-George Wylie updating of Wendt data for corresponding blocks.

AB 80: the shift from business to the homeowner



This chart by A. D. Little & Co. shows that the old division of the property tax burden (2/3 contributed by business to 1/3 residential) became a 1/2-1/2 breakdown after AB 80.

In real figures, Little's "San Francisco Taxes" report says that business assessments shrunk by \$55 million while residential assessments rose by \$525 million.

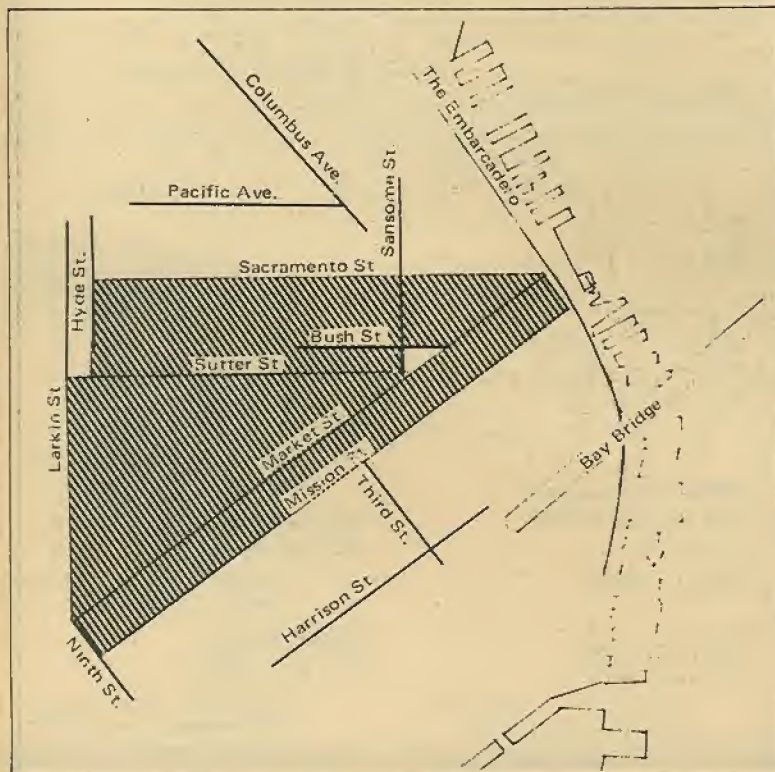
Assessor Tinney denies Little's figures. He argues that single family unit assessments rose by \$300 million and those of business by \$240 million. Furthermore, he says the share of single family units rose from 14% to only 26%.

The difference can perhaps be explained because Tinney lumps two or more family dwelling units into the business category and thereby muddles the business-residential distinction. This distinction, Tinney maintains, is invalid because units housing more than one family are allowed at least partial depreciation and maintenance deductions and can pass the greater taxes on through higher rents.

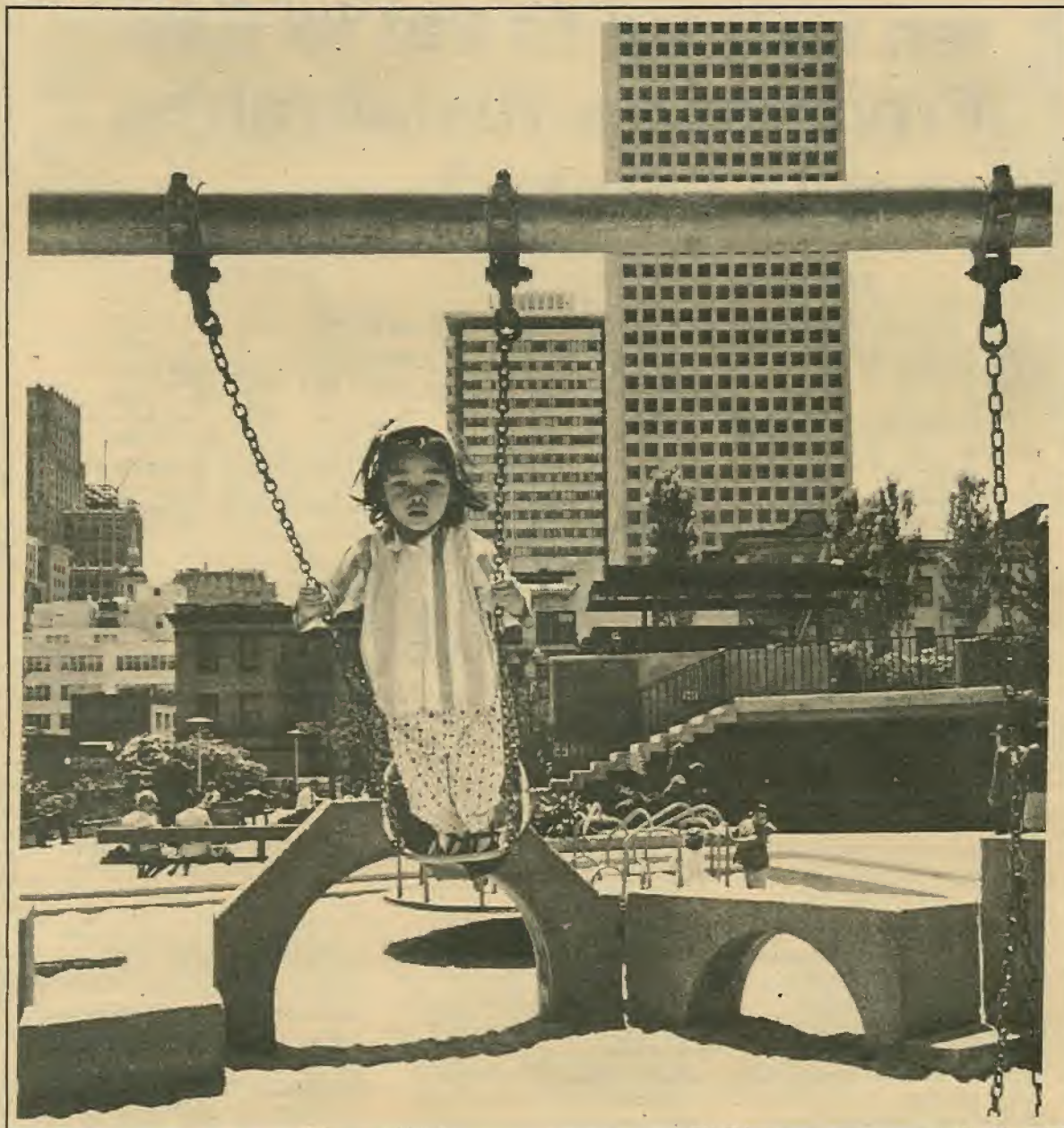
At any rate, a shift in the tax burden from the businessman to the city resident cannot be denied. This was acknowledged by Joseph Alioto, running for mayor in Oct. 1967, in a letter he sent to all city residents. He said:

"Give me your help, Mrs. Jones, and we will put that \$29 million back on big business where it was and where it belongs."

Shaded areas fared best in the AB 80 tax shake-up.

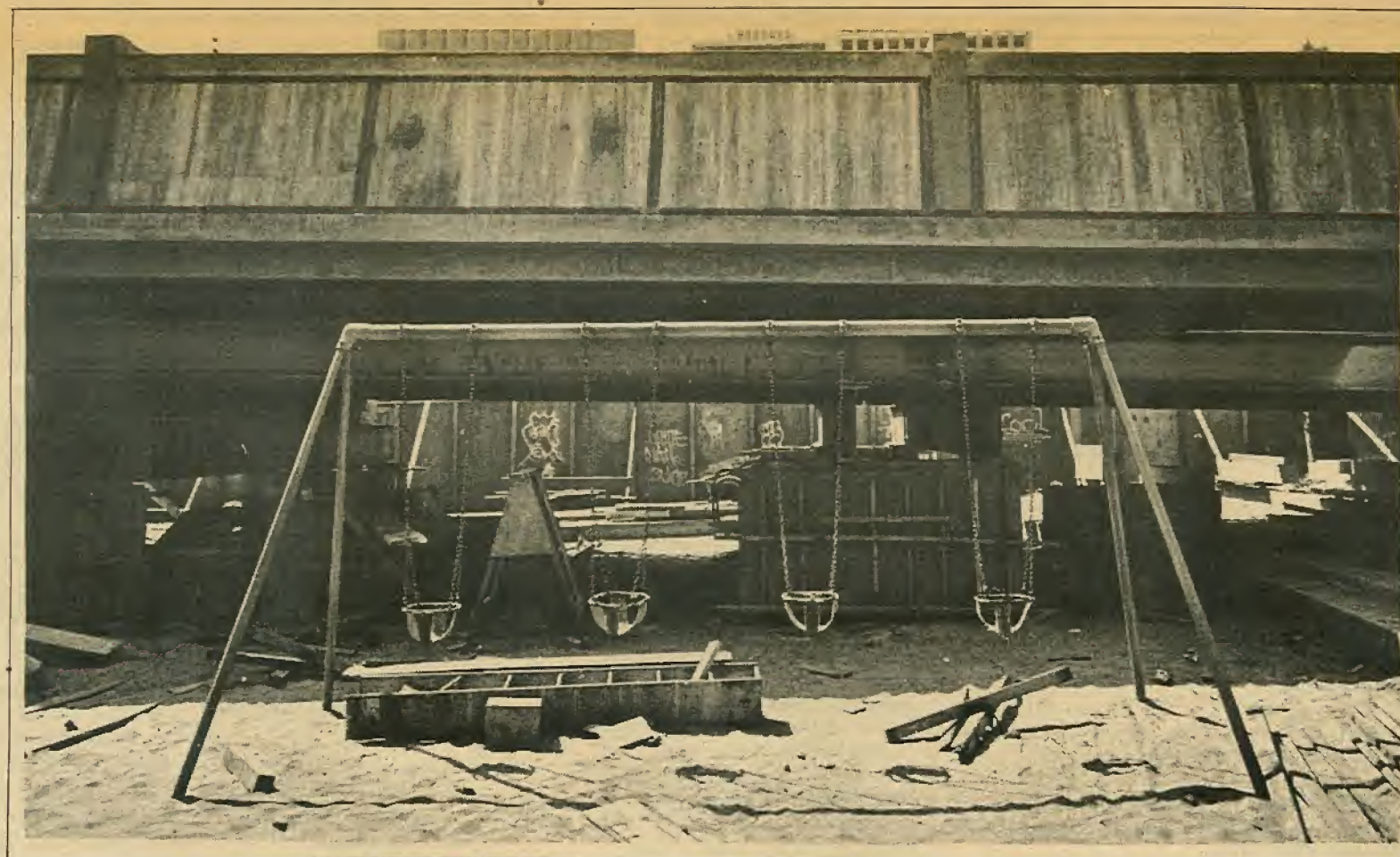


Before Justin Herman—



After Justin Herman—

Photos by Michael Bry



And Cahill Construction (contractor), Clement Chan (architect), Investors-Western (investor), York Securities (investor), Simon & Sons (investor), Holiday Inn (tenant) and the construction unions.

It never did provide enough space in its two acres for Chinatown's 100,000 people, but still, Portsmouth Square was all they had. Not another place within half a mile where you could find more than ten square feet of grass.

But then Justin Herman of San Francisco's Redevelopment Agency decided that the old Hall of Justice, across Kearney,

from the square, had become obsolete, and that the land where it stood would be worth about \$30 million on the tax-rolls—and never mind the Chinese community. What Herman wanted was a buyer with money.

Out of Investors-Western came Justice Enterprises, who teamed up with York Securities, who called in Simon & Sons, and the money was there.

A small catch, however: to deal with Herman you had to build not only a skyscraper in Chinatown but also a bridge over Kearney. Herman dreamt of a pedestrian mall running from Chinatown to Rockefeller Center, and the bridge was part of it.

York bit, thinking they could build an \$80,000 bridge with pre-stressed concrete and get off

cheap. Cahill Construction and the unions and Herman said no, a steel-reinforced bridge for \$600,000. York had no choice.

Neither did the 100,000 people of Chinatown. Herman's dream gobbled up half their open space and hung a concrete curtain over the rest. Leaving about nine square feet of grass.

Well, the Chinese did get one floor of 27 in the new "Chinese

Cultural Center," which is what Herman called his new Skyscraper. Holiday Inn got the other 26.

But Bob Moose down at York Securities says the Chinese will be happy because the new bridge links East-West culture. And because it will have beautiful yellow lanterns on it.

By Susan Morris

"Our program is to elevate sanitary conditions in kitchens," said Jack Coyne, San Francisco's chief of environmental health.

"I wouldn't be afraid of eating in any of our city's restaurants," he added.

Are San Francisco's restaurant kitchens really sanitary? It took a two-month struggle with the city's Health Department to find that many are not--and to get an idea why.

The Health Department's hesitation to grant me permission to accompany inspectors on their rounds and look at files related to inspection offered the first clue that Coyne's optimism about sanitary conditions wasn't warranted. Permission was granted, however, after several bouts with the city attorney, and off I went on a tour of restaurant kitchens.

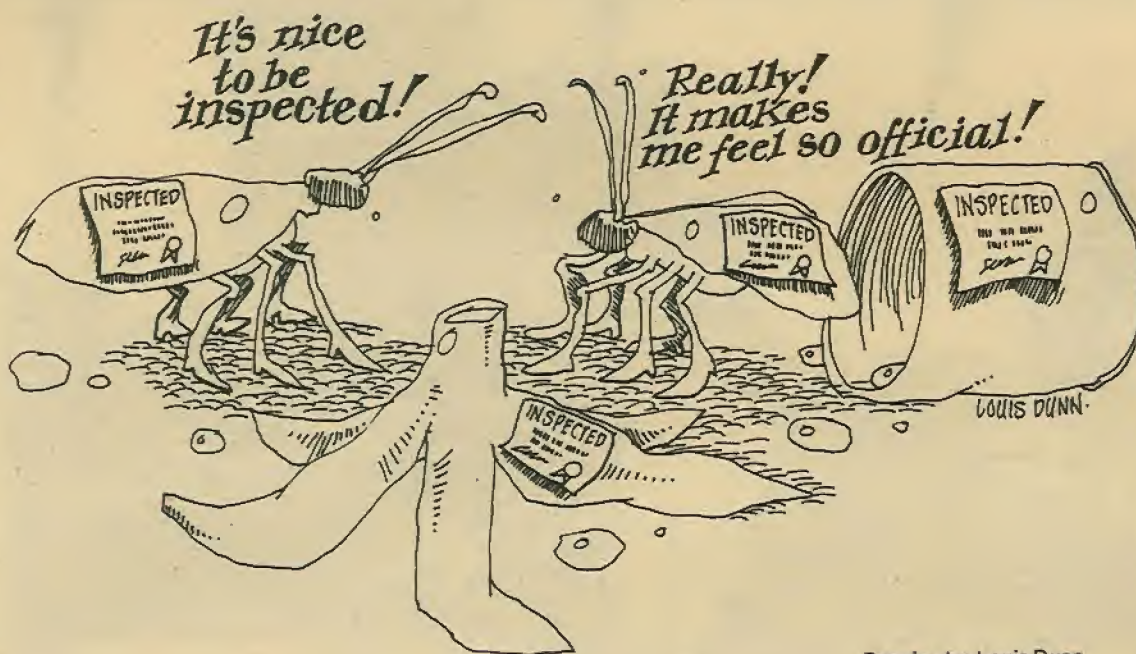
The tour didn't always go where I would have liked. The city attorney barred me from seeing several restaurants--"high-class, expensive" ones such as Ernie's and the Blue Fox--on the grounds that I might have a "grudge" against them.

Here are some of the restaurants I was allowed to visit:

FIRST STOP was the Doggie Diner at Fillmore and Lombard. Inspectors often call Doggie Diner's kitchens the cleanest in the city, but this one deserved no such praise. We found garbage accumulating in boxes next to overflowing pails and uncovered food in the refrigerator--both violations. The ex-manager, a friend of the new manager, was smoking in the kitchen, which is prohibited in food preparation areas.

The recently-opened Shandy-gaff on Polk Street did worse.

If the Health Department isn't afraid to eat in San Francisco's restaurants, should you be?



Drawing by Louis Dunn, SF Bay Guardian, 1971.

The owner of this health and organic food restaurant apparently sees no correlation between good health and a clean kitchen. Loose grease splatters from the stove clung to the wall. A vegetable specialty of the house rested beneath a shelf so corroded that rust dangled directly above the uncovered dish.

The Mother Lode on Union Street operates a magnificent new garbage disposal. The only problem is that customers find hair in their food. The waiters and waitresses were amazed to be told they needed hairnets. The inspector insisted that on his next visit (date unspecified) he wanted to see all long hair pinned back or up.

In the tiny, dingy kitchen at Perry's, famed Union Street "bodyshop," men labor diligently over those expensive little dishes served with such nonchalance to the lunchtime throngs up front. "Business is good," confirmed a sweating cook--so good there's apparently no time to clean the kitchen.

In the walk-in refrigerator we found uncovered food and a dirty floor. The grill was surrounded by so many cooks that inspection of it was impossible. The inspector explained that we had checked Perry's at the wrong time.

"If business is good," he explained, "we expect to find the kitchen pretty dirty at lunchtime."

CASTAGNOLA'S ON Fisherman's Wharf was swarming with tourists. "We'll just walk through the kitchen because it's so busy," the inspector announced. On a quick detour through the walk-in refrigerator, I saw chipped paint flapping against the wall because of an overhead fan, with uncovered food directly underneath. Because it has an alcohol base, the paint couldn't harm a diner mistaking it for a piece of crab. But at Castagnola's prices, customers are entitled to the real thing.

The old, L-shaped kitchen at the Round House, next to the Golden Gate toll plaza, was adequately equipped for the simple cooking done. The cook timidly explained why dirty walls and ceilings hadn't been cleaned.

"They (the owners) have meant to do it," she said, "but they've been terribly busy." The inspector insisted that the cleaning be done before his next visit. "I think I have given you adequate time as it is," he warned her.

At the Prime Rib on Lombard Street, refrigerator shelves were so dirty that grease drippings had fallen into the butter dish. The can opener was covered with grimy particles which could easily have fallen into the next can opened. Walls and ceilings were grey with grease, especially around the dishwashing area.

A check of the employees' rest-

room revealed a filthy floor and empty towel and soap containers.

"You know," the owner explained, "I wasn't working here for six years and the other guy really let things slip. I know the kitchen needs a lot of improvement and as soon as I get the time, I plan to fix it up."

The inspector told the owner to get to work immediately.

DIMAGGIO'S ON Fisherman's Wharf, a longtime tourist favorite, was practically empty at lunchtime.

In the old and poorly kept-up kitchen, we found uncovered food in the refrigerator, a fouled grill, leftovers lying around on food counters, and walls and ceiling that needed paint.

The chef chain-smoked as he escorted us around what the inspector later called "the dirtiest kitchen I have seen in a long time." Because the regular inspector for the area was sick, and I was being taken to Fisherman's Wharf as a courtesy, this inspector issued no notice.

The kitchen at Sabella's on the Wharf sparkled with clean, new equipment. The owner proudly showed off his \$18,000 dishwasher. The inspector suggested pans in the refrigerator be stacked more carefully--otherwise everything was in good order.

The large, old kitchen at Tortola's on Polk was the cleanest I saw. Counters were bleached white, refrigerators clean, food covered, grill filters recently scrubbed, floors spotless.

The kitchen workers were also the most enthusiastic I met. Dressed in shining white jackets, they were delighted when I asked what dishes they were preparing.

As we entered Enrico's on Broadway, Mrs. Enrico Banducci, wife of the owner, lambasted the inspector.

"You bugged us for months," she charged, "and then you don't bother to come back. I know of at least 5 restaurants on North Beach whose kitchens are so dirty I'll never eat there again. Why don't you bug them!"

Later the inspector, shrugging off the charges, said Enrico's kitchen had been painted only because Mr. Banducci had been interviewed for a television program. All restaurant owners should be TV celebrities--Enrico's had no visible violations.

Enrico's concluded my tour of San Francisco restaurants, but not my struggle with the Health Department. Coyne and the city attorney conceded, finally, that Health Department records were public information, and I was permitted to look at some of them.

FROM THE files I learned that some San Francisco restaurants are rarely inspected. Although Coyne had told me each of the city's 3000 restaurants is inspected five times annually, the files revealed several that hadn't been inspected for years.

For example, The Blue Fox, La Bourgogne, and Ernie's were last inspected in 1969; L'Etoile, in 1967. A senior inspector explained: "I guess the inspectors who handle these restaurants decided that their past records were satisfactory. They are spending their time at the restaurants with bad records."

Continued on page 24

15 WAYS

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Land reform and California's agricultural empires—

Breaking up the last great feudal domains

Continued from page 1

by Haggin and Tevis was located close to the Kern River, and was in fact partially settled. A story in the San Francisco Chronicle, in those days a newspaper that fought for the little man, tells what happened next:

"The President's signature was not dry on the cunningly devised enactment before Boss Carr [Haggin and Tevis' agent in the valley] and his confederates were advised from Washington that the breach was open. It was Saturday, the 31st of March. The applications were in readiness, sworn and subscribed by proxies. All that Saturday night and the following Sunday, the clerks in the Land Office were busy recording and filing the bundles of applications dumped upon them by Boss Carr, although it was not until several days after that the office was formally notified of the approval of the Desert Land Act."

Thus, by hiring scores of vagabonds to enter phony claims for 640 acres, then transferring those claims to themselves, Haggin and Tevis were able to acquire title to approximately 150 square miles of valley land before anybody else in California had even heard of the Desert Land Act.

In the process, they dislodged settlers who had not yet perfected their titles under old laws and who were caught unawares by the new one. The Chronicle called the whole maneuver an "atrocious villainy" and demanded return of the stolen lands. A federal investigation followed, but Haggin and Tevis, as usual, emerged triumphant.

ALL THIS skulduggery would be of little contemporary interest were it not for the fact that the empires accumulated by the likes of Miller, Haggin and Tevis are still with us in only slightly different garb: they have become the vast, highly mechanized corporate farms that monopolize California's best farmland.

The fate of Haggin and Tevis' holdings is particularly interesting. In 1890, to perpetuate their empire beyond their deaths, the two entrepreneurs incorporated under the name of Kern County Land Company.

Forty years later, a copious supply of oil was discovered beneath the Company's vast holdings, producing a colossal windfall for the heirs of Haggin and Tevis.

Rather than pay taxes on the full amount of its oil earnings, the Company began sinking them into irrigation pipes and sprinklers, thereby upgrading the surface of its lands into prime cropland worth \$1,000 an acre, and later into orchards worth up to \$4,000 an acre. By 1965, a share of Kern County Land Company stock that sold for \$33 in 1933 was worth (after splits

totalling 40 for 1) \$2,680--and had paid \$1,883 in dividends.

Finally, in 1967, Kern County Land Company was bought by Tenneco.

What have been the social consequences of land monopoly in California? Nearly a century ago the San Francisco Chronicle warned:

"The land... taken by two or three men is sufficient to afford homes and independence to hundreds of intelligent, industrious and honest settlers. It is this class that makes, as it is the other [land monopolists] that ruins, a country. The confirmation of title to the monopolists means the transfer of ownership of the soil to a non-resident aristocracy, and its continued cultivation by a race of aliens and coolies. Let it be awarded to the settlers, and schools, roads, churches and general prosperity will ensue."

The warning went unheeded and California developed as the Chronicle feared. A non-resident landowning aristocracy today enjoys vast power in the state. Along with absentee ownership, racial exploitation became a way of life in California. Chinese and Japanese field hands were succeeded by Hindus, Filipinos and Mexicans.

OTHER EFFECTS of land monopoly were as the Chronicle foresaw. Schools, shops and civic institutions never really blossomed in those parts of the state dominated by giant landholdings.

A study in the 1940s by Walter Goldschmidt, a California sociologist, found that communities in small farm areas had a more sizable middle class, more stable income patterns, and better schools than did communities where large landholdings predominated. The reason is not hard to understand. Why should an absentee landlord spend his taxes on good public schools, when his own children go to private schools elsewhere and an educated work force is the last thing he wants?

What the Chronicle did not foresee was the impact that land monopoly would eventually have on the cities. If land had been equitably distributed in California and throughout the West and South, it is doubtful that the

cities would be as overcrowded and as beset by social burdens as they are today. Nor was the ecological impact of intensive agriculture foreseen--the poisoning of our environment through excessive use of pesticides.

In short, land monopoly is neither desirable nor inevitable, and it's time to end it through a program of land reform--the same kind of peaceful social restructuring that the U.S. imposed upon Japan after World War II, and has urged upon dozens of other nations in Asia and Latin America.

The guiding principles behind land reform are that land should belong to those who work and live on it, and that holdings should be of reasonable size, not feudal proportions. These are hardly revolutionary concepts. America recognized them in the Pre-emption Act of 1841, the Homestead Act of 1862 and the Reclamation Act of 1902. We should renew that recognition today.

A convenient place to start is with enforcement of the Reclamation Act of 1902, which provides that large landholders who accept federally subsidized water--and that includes virtually every big grower in California--must agree to sell their irrigated holdings in excess of 160 acres at pre-water prices within 10 years. The Reclamation Act has never been properly enforced for a variety of reasons.

ONE IS that, through one stratagem or another, large landholders have escaped having to sell their excess lands. Another is that even in the few cases where big growers have agreed to sell, their prices have been so

high, and terms so stiff, that only wealthy persons could afford to buy.

Occasionally, as in parts of the San Joaquin valley at the moment, pre-water prices approved by the Bureau of Reclamation are so out of line--higher, in fact, than prevailing market prices--that even wealthy persons have not seen fit to purchase lands put up for sale under the law.

To assure not only the sale of excess landholdings but also their availability at prices that persons of limited means can afford, Congressmen Jerome Waldie, Ron Dellums, Don Edwards and others have introduced legislation that would authorize the federal government itself to buy up all properties in reclamation areas that are either too big or owned by absentees.

The government would then re-sell some of these lands, at reasonable prices and on liberal terms, to small resident farmers, or perhaps to cooperatives, and retain other lands as sites for new cities or as undeveloped open spaces. The plan would actually earn money for the government, since the lands would be purchased at true pre-water prices and re-sold at a slight mark-up. The money thus earned could be used for education, conservation or other purposes.

The legislation was conceived by UC economist Paul Taylor, husband of the late photographer Dorothea Lange and a kind of elder statesman of agrarian democracy. It has the support of such groups as the AFL-CIO, the Sierra Club, the

Grange and the National Educational Association. The Chronicle, however, which would have vigorously supported such a bill 100 years ago, has been silent. So, too, has the Hearst-owned Examiner.

Land reform may seem like the kind of program that's applicable in underdeveloped nations, though not in the U.S. Nothing could be further from the truth. Many citizens and public officials are coming to realize that rural America must be revived, that the cities must be salvaged, that welfare rolls must be reduced and that present policies aimed at achieving these objectives aren't working.

People are also coming to realize that small-scale farming lends itself much more readily than does corporate agriculture to biological pest control--a technique that must increasingly be adopted if we are to avert an ecological disaster.

Land reform is an answer to all these problems--in fact, it may be the only one. Its great virtue is that it places both the burden and the opportunity of self-improvement on the people themselves. It can give to hundreds of thousands of Americans a place to plant roots, and a chance to start working with dignity. Can we deny our people that chance?

This article is adopted from a series on the need for land reform currently running in The New Republic magazine.



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In 26 words or less—PT&T answers the billion dollar construction question

PT&T's 5-year plan doesn't exist, But it still will double your phone bill

By Don Jameson

Don Jameson, a citizen, tax-payer and telephone-user in Los Angeles, has been fighting PT&T's rate increase request for the past ten months as a participant before the State Public Utilities Commission. Here's his report:

If the San Francisco school board decides to demolish and replace six ancient school buildings because of earthquake hazards, a squall of complaints rises over the expense.

If the Pacific Telephone and Telegraph Co. decides to launch a \$1 billion per year construction program to go into the mid-1970's, the public and the five Reagan-appointed Public Utilities Commissioners utter scarcely a word of protest.

This is the "perspective" from which to view PT&T's current request before the P.U.C. for an enormous rate increase of \$195 million per year—or \$21 for every adult man and woman in California. That's nine cents per day for every phone-owner.

An eight-month investigation by this writer reveals these crucial points:

1) PT&T's massive construction program amounts to a \$1 billion Trojan horse wheeled before the PUC and the public to justify a rate increase that simply isn't needed. PT&T's own figures show the construction program is unnecessary in terms of factors they believe crucial: growth in population, demand for telephone service and the business index. (See "The Billion Dollar Question," an editorial on p. 18.)

2) The construction program actually serves only one purpose: to expand the size of PT&T's operating plant, thereby permitting the company to earn greater profits on a rate of return basis and to placate management pressure from AT&T (90% owner of PT&T) to raise California's relatively low rate structure and pave the way for more rate increases across the nation.

THE SIZE of the coming jump in phone rates depends largely on how much of PT&T's construction program the Commissioners will swallow on simple faith. PT&T offers instead this circuitous rate-raising and hair-raising logic: the company desperately needs the \$195 million to improve earnings (which topped three quarters of a billion dollars last year) so it can more easily attract capital (even though its bonds have been rated triple-A for years) to finance what amounts to a 300% to 400% in-

crease in construction.

After averaging 5.1% for 15 years, PT&T's construction growth has catapulted to 18% and then 30% in the last two years (percentages figured on a base of net plant in service). Construction growth into the mid-70's will average 20% per year, or almost four times the rate for the 50's and 60's.

Except for PT&T's description of total cost (roughly \$4.6 billion through 1975, or close to \$1 billion per year), the details of this construction program are wrapped in mystery. Nowhere in the 8,000-page accumulation of argument before the P.U.C. is there a detailed explanation of the construction plans. PT&T has even refused to release copies of its regular construction summary report to participants in the case.

In its opening statement to the PUC more than 14 months ago, five of six reasons cited by PT&T in support of its request were intimately connected with construction. But in its final brief, the construction plans are set forth in just 26 words: "The construction program is the catalyst in Pacific's poor earnings situation....In the decade ahead Pacific faces the prospect of a billion dollar annual construction program." (p. 45).

PT&T's 26-word easy answer to the \$1 billion dollar question and the excessively rapid pace of the hearings so upset the PUC's own legal staff that it took the unprecedented step of submitting a biting brief critical of the Commission itself. PUC lawyers Richard D. Gravelle and Leonard L. Snider, writing for dozens of staff members, observed that "there has been no adequate quantitative justification on any reasonable basis for the magnitude of (construction) expenditure claimed by Pacific," and warned the Commission of the growing loss of public confidence in PUC decisions.

IN WHAT may be an omen of how the Commissioners will vote (their decision is due in June) Commissioner Vernon Sturgeon tried to pass off the unusually pro-consumer brief as a part of the PUC's "normal procedures."

A recent series of interviews this writer conducted by phone and mail with PT&T officials reveals why the company so drastically downplayed the crucial construction issue in its testimony and final brief.

How did PT&T arrive at its estimated construction need of one billion per year into the mid-70's? "The construction program is reviewed three times each year," Assistant Vice-

President G.L. Turreto told me.

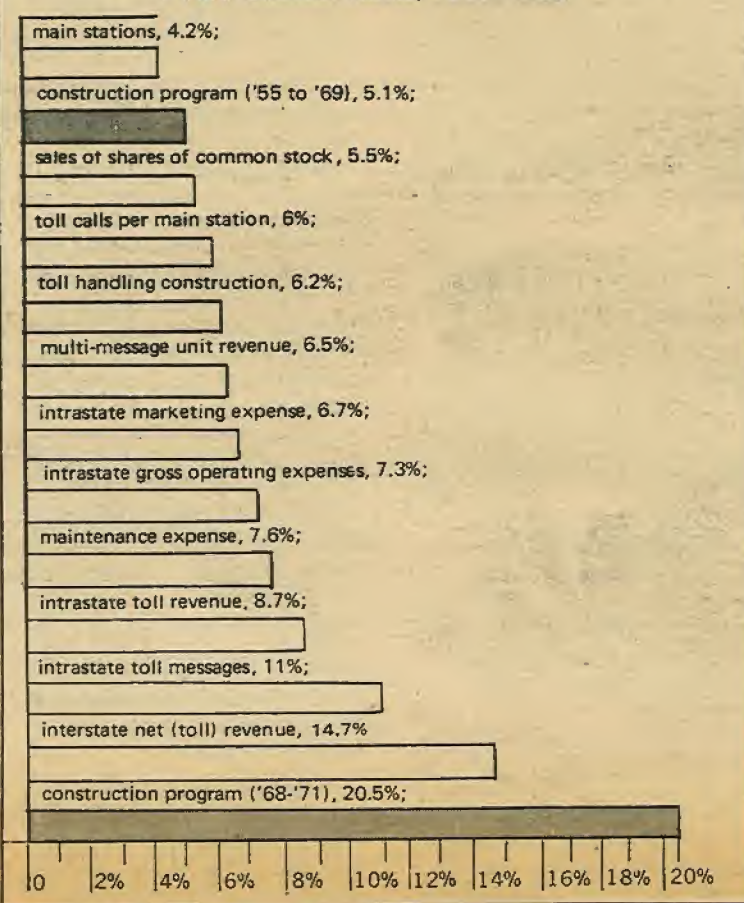
"A line-by-line analysis of each individual project making up the construction program is made," Turreto explained. "This analysis...includes checking area and Company summaries against area growth rates, capacity amounts, and eco-

business data in PT&T reports for the years 1955-1969 and conducted a detailed computer study seeking growth curves that might suggest a reason for PT&T's big jump in construction rates in the 70's.

None of the trended figures obtained (see chart) even remotely approach the 20% annual construction rate PT&T claims it needs to meet the demands of the 70's.

In the two areas regarded by Turreto as most critical, "area growth rates" (main station growth, meaning growth in

PT&T Growth Rates, 1955-1969



PT&T's \$195 million rate increase request is based on 20% construction growth in the 1970's. But trended growth rates show no need for such a massive building program exists. Note that PT&T's revenues have been increasing at a far greater rate than use of equipment.

nomic indicators."

Turreto then gave this writer dollar estimates for construction costs in 1970, 1971 and 1972, broken down for "individual" projects such as the company's breadwinner, "Touch-tone" equipment, and the hopeful rising star, videophone. Asked for figures for later years, Turreto replied, "This information is from the Aug. 31, 1970 view. We have not as yet identified in detail the construction program items beyond 1972."

J.W. Rutherford, PT&T regulatory representative, confirmed that detailed construction plans for the mid-70's do not exist. The company's projections "looked five years ahead," he said. The first two or three years were "fairly specific." The fourth and fifth years were "less so."

This writer used PT&T's own method of analysis and internal

separate telephone numbers, as opposed to extensions) and "economic indicators" (PT&T's General Business Index, published in their Annual Reports), analysis uncovered trended growth curves of 4.2% and 5.6%, respectively.

THIS WRITER'S analysis raises important questions that PUC Commissioners should ask PT&T. For example:

1) Why did PT&T boost its construction 18% from 1968 to 1969, then an additional 30% from 1969 to 1970, when main station growth rose only 4% during each of those years and the general population only 1.5%?

2) Why is the billion-a-year, 20% construction growth slated for the 70's so much out of line with the trended projection of 5.6% per year for growth in the "general business index" for the same years?

Just because no real demand

exists doesn't mean PT&T lacks its own reasons for "needing" the grandiose construction program. These reasons extend beyond the imperative of out-of-control empire-building growth. Here are three.

First, the construction program will increase PT&T's profits on calls placed and received within California (intrastate), now topping \$400 million annually, by as much as \$70 million per year and \$350 million for a combined five year period into the mid-70's.

By regulations, the PUC limits Pacific's intrastate earnings to a maximum per cent (called "rate of return") of net plant in service. In 1970, for example, the value of PT&T's net plant in service was \$5.9 billion; the maximum rate of return allowed by the PUC 6.9%. Thus, maximum intrastate profit stood at \$410 million, just about what PT&T earned.

If the company wants to expand its maximum allowed intrastate profits, it must increase either the rate of return or the size of its net plant. Construction, of course, adds to the size of the net plant.

Five billion dollars of construction means \$350 million in allowed intrastate profits. (PT&T is also asking the PUC to boost its rate of return to 9%, but that's another story.)

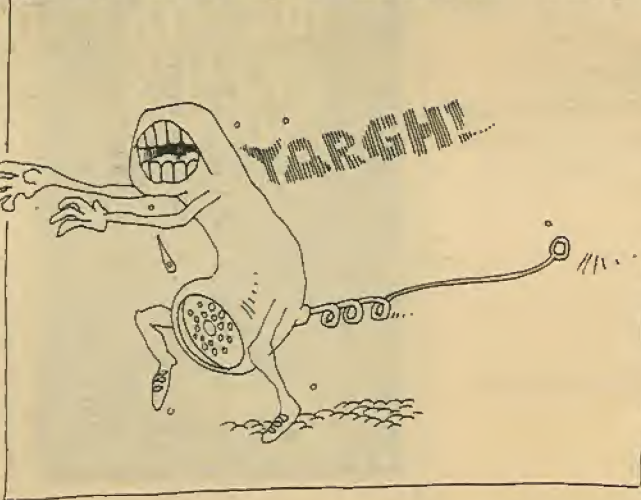
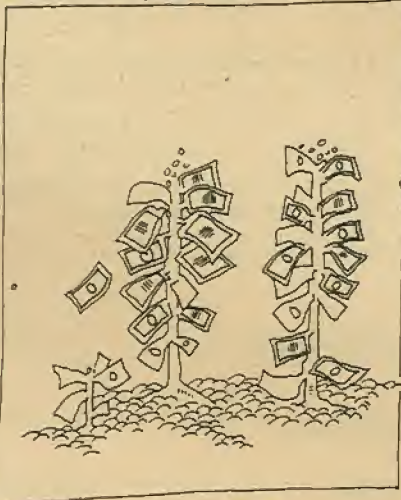
The \$1 billion-a-year construction plan also boosts PT&T's potential profits from calls placed in California but received in other states (interstate). That works this way: **ALL THE** participating phone companies in the nation pool their interstate toll revenues and each company takes at the end of the year an amount equal to their operating expenses. What remains is then parcelled out according to value of net operating plant used in each company's interstate operation. In 1969, PT&T reaped \$284.5 million in interstate profits. The company's construction program will significantly boost those earnings (which do not fall under PUC regulation), perhaps by as much as 20% each year, regardless of quality of service to users.

Finally, PT&T's construction program, and especially the enormous rate increase asked to pay for it, will please AT&T, PT&T's mother company and the largest corporation in the world (1970 profits: \$2.2 billion). As Gravelle and Snider note in their dissenting brief before the commission, "It is a specific goal of AT&T to raise the rates in San Francisco, Los Angeles and San Diego to the levels in other Bell cities."

AT&T would like to see California's rates rise (they are relatively low at present) so that affiliated Bell companies in other states would have less trouble jacking up their phone rates.

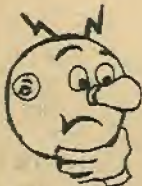
Continued on page 13

The Trunkline Shareröpper



WHY BUY IT?





Dear PUC,

This article is just a reminder that you are allowing PG&E to steal \$40 million a year from us. Your attention on this matter is 40 years overdue. Won't you reconsider our request to make a feasibility report to buy out PG&E right away?

Thank you,
San Francisco citizens

By Peter L. Petrakis

ALL J. Welton Flynn could say at the April 27 meeting of the city Public Utilities Commission was, "I don't believe it."

Flynn, an accountant, is Mayor Alioto's newest appointee to the PUC. The Guardian was telling Flynn and three other commissioners that San Francisco probably loses at least \$30 million a year by not retailing its own Hetch Hetchy power to its own residents, and that therefore the commission ought to request money to implement its own resolution to do a feasibility study to buy out PG&E.

The commissioners offered no figures to refute ours. On an obviously prearranged motion, the PUC voted unanimously to kill its own feasibility study, which had never been implemented in the year since it was authorized.

The commission wouldn't accept our method of estimating power profits in San Francisco--

factoring up the power profits of cities that have municipal electric systems to a city the size of San Francisco.

OK. The Guardian has now turned to an authoritative source on power profits in San Francisco, one that our PUC respects highly--the Pacific Gas and Electric Company.

It seems our earlier estimate of San Francisco's profit loss to PG&E was a bit conservative.

We checked PG&E's 1970 annual report to the state Public Utilities Commission and PG&E exhibits submitted to the state PUC in support of PG&E's 1970 rate-increase application. We found:

1) That San Francisco's annual profit loss to PG&E probably exceeds \$35 million a year.

2) That even assuming no increase in PG&E power profits (hardly likely, in view of Reagan's PUC and the near-breakdown of utility regulation in California), San Francisco will lose more than \$1 billion in profit to PG&E over the next 30 years.

3) That \$3.37 of every \$5 PG&E gets in San Francisco electric sales is profit before taxes.

4) That San Francisco's power market is so lucrative that the city, from its own power revenues under municipal ownership, could readily finance purchase of PG&E's local electric distribution system, with two local PG&E thermal generating plants thrown into the deal, and still have millions in surplus profits every year during the repayment period.

5) That with PG&E's two local steam generating plants, San Francisco would have a 20% excess capacity to meet future city power needs, but in

the meantime could sell surplus power to public power cities, or to public agencies like BART, to bring total annual profits close to \$40 million.

HERE'S THE breakdown: PG&E power revenue from San Francisco--\$55 million; PG&E's San Francisco electric expenses--\$19 million; Revenue minus expenses--\$36 million. That's \$36 million profit before taxes for PG&E. (See box for computation details.)

Don't let that "before taxes" throw you. PG&E doesn't pay any taxes. We pay PG&E's taxes in our utility

bills. PG&E adjusts its rates to offset its taxes, so PG&E is really a tax collector.

The \$36 million profit figure includes only power profits from San Francisco. More could come from wholesaling surplus city power to others. The combined power output from the city's Hetch Hetchy facilities and PG&E's Potrero and Hunters Point thermal plants would come to around five billion kilowatt-hours a year.

San Francisco now uses four billion kwh a year. So, the city would have a billion kwh to sell to other public systems. PG&E now sells a billion kwh at wholesale for about \$8 million, of which probably a fourth is profit. That would bring San Francisco's annual power profit to \$38 million.

And, since San Francisco now pays PG&E over \$2 million a year to wheel Hetch Hetchy power into the city for municipal services (from Newark, 35 miles away), the city could also keep that money.

Final profit figure: Around \$40 million a year. That's what PG&E takes from San Francisco every year, not counting profits from natural gas sales. In 30 years, it adds up to a-

bout \$1.2 billion dollars.

WHAT WOULD it cost to buy out PG&E? No final answers can be given until the feasibility study is made (which is probably why the PUC killed it). The study would involve a detailed inventory.

The Guardian analyzed PG&E data and estimated the total depreciated value of its San Francisco electric properties at around \$200 million. Oral Moore, Hetch Hetchy general manager, earlier came up with the same rough estimate, based on a study of PG&E property taxes.

Depreciation of PG&E property is an important factor in San Francisco. The city is essentially "full grown," and has been for several years. PG&E's two local steam plants were built in 1929 and 1930 at a total cost of \$82 million, according to the Federal Power Commission. PG&E has now taken more than 40 years depreciation on them.

The distribution network also is greatly depreciated. PG&E's own valuation of domestic-user facilities in its San Francisco Division (includes several peninsula cities) is \$19 million.

Continued on page 13

HOW MUCH PROFIT DOES PG&E TAKE OUT OF YOUR CITY?

The giant private utilities have severely crippled regulation in California, but they have not succeeded, as yet, in keeping from the public their annual reports to the state Public Utilities Commission.

That may come later. In Arizona, utility reports to the state regulatory agency are "confidential," meaning the public can't find out what's going on.

Nowhere, including California, will private utilities tell the public how much profit they take out of individual cities and towns--for the obvious reason that public awareness of those juicy profits might lead to moves to buy out the local private utility.

In California PG&E is required to report gross revenues for individual communities. These figures provide the basis for a rough estimate of the profit your city loses by not having a municipal electric distribution system.

Your estimated city loss is 40% of PG&E's reported revenues. That 40%, on a system-wide basis, is what is left of PG&E revenues after operating expenses are deducted.

The estimated city loss includes PG&E profits (62%) and the "PG&E taxes" hidden in your electric bill. Under municipal ownership, the 40% your city now loses would all be city profit--to be used to lower rates, lower property taxes or both.

Here is a sampling of Bay Area cities, showing PG&E's reported 1970 revenues, the estimated public profit lost in each for lack of a municipal electric system, and property taxes levied in each, as reported by the State Controller's office.

Subtracting the estimated city loss (which would be city gain with public power) from the

property tax, the sample shows how much each city might cut property tax bills if the city operated its own electric distribution system.

This method can be tested by the following case: Palo Alto, operating its own electric system, makes \$2,099,092 a year in profits. Berkeley, which is twice as big as Palo Alto, should make twice as much.

Our estimate for Berkeley is \$4,119,000. Cities like Oakland, with high population density, should be able to make more than our figures indicate because high density means lower operating expense.

At first glance, it does seem incredible that lost city electric revenues are so large relative to property tax levies. Again, Palo Alto provides a useful example.

Palo Alto's municipal electric system in the last fiscal year transferred \$2.1 million in profits into the city's general fund. For the same year Palo Alto's property tax levies were also \$2.1 million. If it is assumed that the public power profits would ordinarily be raised through property taxes, then municipal ownership can be said to have reduced Palo Alto property taxes by 50%.

Compare the property tax rate of Palo Alto with that of San Mateo, a nearby PG&E city with about the same total assessed value. San Mateo: \$1.63 per \$100 of assessed valuation; Palo Alto: \$.74 per \$100 of assessed valuation. Thus, Palo Alto's tax rate is 55 per cent lower than San Mateo's. Essentially, the same relationship holds true in comparing total property tax levies in the two cities. San Mateo: \$5 million; Palo Alto: \$2.1 million. Palo Alto's total property tax is 58 per cent lower than San Mateo's.

City	Reported PG&E Electric Revenues	Estimated city loss	Property tax levied 1970-71	% of Possible Property Tax Savings with Public Power
Albany	\$ 926,469	\$ 371,000	\$ 617,691	60%
Berkeley	10,298,980	4,119,000	9,063,146	45%
Burlingame	2,935,607	1,174,000	1,414,434	83%
Davis	1,719,585	688,000	1,218,694	57%
El Cerrito	1,520,022	608,000	1,293,431	47%
Hayward	7,583,067	3,033,000	3,276,560	93%
Livermore	2,386,142	954,000	1,102,837	86%
Menlo Park	3,238,763	1,296,000	1,012,991	100+%
Mill Valley	839,929	336,000	1,092,366	31%
Mountain View	6,671,503	2,669,000	2,461,718	100+%
Novato	1,956,779	783,000	594,111	100+%
Oakland	30,578,517	12,231,000	26,944,809	46%
Pacifica	1,683,277	673,000	1,338,327	50%
Redwood City	4,725,204	1,890,000	3,199,622	100+%
Richmond	12,947,392	5,179,000	9,061,102	57%
San Jose	33,141,052	13,260,000	20,271,793	65%
San Rafael	3,884,337	1,554,000	1,191,147	100+%
San Mateo	6,117,456	2,447,000	4,982,462	49%
Santa Cruz	2,846,638	1,139,000	1,721,317	66%
Sunnyvale	10,450,279	4,180,000	4,053,620	100+%
Vallejo	3,884,337	1,554,000	2,204,968	71%

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ELECTRIC POWER PROFITS IN SAN FRANCISCO

PG&E Revenue (From 3.2 billion kilowatt hours).....	\$55,000,000 (1)
PG&E Electric Expenses	
Power generation.....	\$11,200,000 (2)
Distribution and customer accounts.....	\$ 4,400,000 (3)
Sales expenses.....	\$ 700,000 (4)
Administrative and general expenses.....	\$ 3,000,000 (5)
Total expenses	\$19,300,000
PG&E Profit Before Taxes (Revenue minus expenses).....	\$35,700,000 (6)

Footnotes:

- (1) San Francisco's power load is 4 billion kwh per year. Of this, 3.2 billion is supplied by PG&E, and the rest by the city's Hetch Hetchy Project for municipal services. The city pays PG&E \$2.3 million a year to carry Hetch Hetchy power into the city from PG&E's Newark substation, 35 miles away, where the Hetch Hetchy transmission line ends and PG&E picks up the power.
 - (2) Computed from PG&E's average unit power production cost (3.5 mills per kwh).
 - (3) San Francisco has 12% of PG&E's customers. Since customer-related expenses in San Francisco are half those for the average PG&E customer system-wide, the figure is 6% of PG&E's total distribution and customer accounts expenses (\$73 million).
 - (4) Taken as 12% of PG&E's total sales expenses (\$6 million).
 - (5) Taken as 12% of PG&E's total administrative and general expenses (\$25 million).
 - (6) This figure compares well with the Guardian's earlier \$30 million estimate, which was obtained by scaling-up Palo Alto's municipal power profits to a city the size of San Francisco. The same \$30 million is obtained by scaling-up the power profits of the Modesto and Turlock Irrigation Districts, which buy Hetch Hetchy power from San Francisco and retail it to their residents over their public power systems (charging rates 15% lower than PG&E rates in San Francisco). Combined T/M power profits are \$5 million a year. San Francisco has 6 times the population of T/M, thus you multiply by \$5 million by 6 to get \$30 million.
- The \$30 million figure we have always regarded as a minimum profit figure for San Francisco: mainly because it didn't take into account the economies that would come from this city's high meter density (240 customers per mile of distribution line, compared with 96 for the whole PG&E system). PG&E's own figures bear this out (see footnote 3, above).

Sources: PG&E's 1970 annual report to the California PUC, PG&E's 1970 rate-increase application to the California PUC (CPUC application No. 51551). Hetch Hetchy project preliminary annual report, fiscal year 1969-70.

lower revenues from sales taxes and an increased city budget, it would not be necessary to raise property taxes.

The reason: increased earnings from the municipal electric system would compensate. Palo Alto, with one of the lowest property taxes in the state, makes more city revenue from its electric utility than it does from the property tax. Jack Knudson, a Palo Alto resident, recently took a Menlo Park friend's bill to the Palo Alto electric department for comparison. The PG&E bill was \$11.54 for 572 kwh (an average monthly rate of consumption). The same amount of power costs \$8.93 in Palo Alto.

In 1966, voters in Anaheim rejected a proposition to sell their municipal electric system to a private utility. Said City Councilman Schutte: "I have never felt so strongly about a matter as I do this particular issue. I think the electrical system should be retained. If it had not been for this facility, many improvements and programs, such as parks and playgrounds, which are for the people, would not have been realized without either a bond issue or raising taxes."

A R. Schell, city manager of Roseville, recently told the Guardian, "In brief, the electrical system has been the salvation of the City of Roseville in many respects. It has given flexibility to city finances. It has saved many thousands of dollars for citizens of the city. It has been an aid in our industrial program. I think every city should own its own municipal electric system, where feasible."

"Where feasible?" Isn't it now feasible, with rising taxes and PG&E bills, to do a study to see how much the city would profit by selling its own electricity to its own people?

PT&T construction

Continued from page 10

Ironically, a larger percentage of PT&T's \$195 million proposed rate increase would go for stock dividends (primarily to AT&T) than for the ballooned construction program. According to PT&T testimony before the Commission, about 50% of the \$195 million would pay for taxes, 37.5% for bond interest, stock dividends, and retained earnings, and only 12.5% for construction. Cost of the construction will be financed in the usual way—from PT&T's depreciation expense account and by selling bonds and issuing stock.

As a final blow to the ratepayer, the full cost of PT&T's construction program may only have begun to come home. Just as PT&T's complaints during the current hearings of poor

earnings and poor rate of return must be related to the ravenous appetite of the giant construction program's for capital funding, so future PT&T poormouthing before the commission will involve further funding to keep those unneeded facilities operating.

California ratepayers will have to fork up at least \$69 million per year of additional rates, over and above the new rates currently requested, to cover the operation of new equipment in the next decade.

The newly constructed facilities, if they are as unnecessary as this reporter's investigation finds, won't even be in demand. They won't be able to pay for themselves.

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Continued from page 13

Let's be generous and assume that the final cost, including actual plant value, severance costs to PG&E, plus interest and bond redemption payments for 30 years on revenue bonds, would come to \$600 million. Since net earnings over that period would be around \$1.2 billion, the city could still make \$600 million in profit. That comes to \$20 million a year, about what the Supervisors hope to raise with their utility tax, off-street parking tax and 100% increase in the business gross receipts tax.

I sent a draft of this article to Shermer L. Sibley, president of PG&E, asking for his comments on these figures. He replied.

"As you might suspect, we do not agree with your conclusion that municipal ownership of our electric system in San Francisco would be desirable, nor with the arguments you use to support that conclusion." Sibley did not elaborate.

Perhaps the best answer to Sibley is the experience of public power cities.

Palo Alto, with power rates much lower than PG&E's, recently announced that, despite



If "What's past is prologue," then that which is existent but lost through neglect and disinterest provides not only the denial of an opportunity to learn from the past, but constitutes another instance of man's inability to comprehend the nature of that which is in his best interests. Several important strides have already been made to make certain that our community's best interests will be served by conserving this vestige of the past.

Within our immediate area we have seen the ravages of time and the bulldozing of irreplaceable remnants of our past. Now, there is the opportunity to avoid the error of losing LE PETIT TRIANON, one of the last existing structures of great historical significance in the Santa Clara Valley. We can merge past with present by actively utilizing this historic mansion to serve as a center for Historical Studies and as a museum and repository for the records of the various individuals and ethnic groups who discovered and developed this area.

Through several scheduled community and college events; through the generosity of interested organizations; and through individual contributions of a number of friends of THE TRIANON FOUNDATION, over \$15,000 has already been received for LE PETIT TRIANON'S restoration. Most recently, The Foundation has acquired the Trianon building and the site.

We cordially invite you to become a Charter Member of the Trianon Foundation. As a member, you will receive the Local History Studies Quarterlies, a publication of the History Studies Center at the DeAnza and Foothill Colleges. As limited editions, they will soon become collector's items. In addition, members are admitted without charge to the Trianon Memorial Lecture Series. Enclose your gift in whatever amount possible and mail it today.....please.

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PAID ADVERTISEMENT

Here are the crucial excerpts of the Seattle federal

On March 23 in Seattle, a federal grand jury returned an indictment against Joseph L. Alioto and three former officials of the State of Washington. Those former officials are John J. O'Connell, former state attorney general, George K. Faler, former assistant attorney general, and John G. McCutcheon, former prosecuting attorney for Pierce County, where Tacoma is located.

The Grand Jury charges:

THAT FROM on or about the 1st day of December, 1960, and continuing thereafter up to and including the date of this indictment in the Western District of Washington and elsewhere, Joseph L. Alioto, George K. Faler, John G. McCutcheon and John J. O'Connell, the defendants herein, did willfully and knowingly conspire, combine, confederate and agree together and with divers other persons whose names are to the grand jury unknown, to commit offenses against the United States, that is to violate Section 1952 of Title 18, United States Code, by using facilities in interstate commerce, including use of the mails, telephone and by traveling in interstate commerce with intent to promote, manage, establish, and carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, to wit, the bribery of a public official of the state of Washington as prohibited by the Revised Code of Washington. . .

In 1961, John J. O'Connell, as State Attorney General, attended a conference at the Department of Justice in Washington, D.C., during which he was officially informed about the price fixing activities of certain electrical equipment manufacturers, which had been uncovered through an investigation and criminal prosecution brought by the United States of America. Thereafter, John J. O'Connell, as Attorney General, and with the aid of Assistant Attorneys General and the financial resources of the State of Washington, contacted various public utility districts, cities and port districts within the State of Washington and persuaded them to join with the State of Washington in bringing civil antitrust cases which would be coordinated and supervised by the Attorney General's office, against certain manufacturers of electrical equipment. . .

IN 1961, John J. O'Connell, as State Attorney General, caused a search to be conducted for a private attorney to serve as trial counsel in the antitrust cases on behalf of the State Group. Thereafter, the defendant John J. O'Connell met with the defendant

Joseph L. Alioto in San Francisco and they agreed that John J. O'Connell would share in any fee received by Joseph L. Alioto as a result of his serving as trial counsel for the State Group.

After John J. O'Connell, as State Attorney General, urged the members of the State Group to hire Joseph L. Alioto, rather than other attorneys who were available and willing, the members of the State Group agreed that the Attorney General of the State of Washington should enter into a contract on their behalf retaining Joseph L. Alioto to represent them in the anti-trust cases.

On or about August 28, 1962, John J. O'Connell, as State Attorney General, on behalf of the State Group, signed a contract with Joseph L. Alioto which provided that Joseph L. Alioto was to receive as a fee for all his services in the anti-trust cases 15 per cent of all sums which might be recovered from the electrical equipment manufacturers up to, but not exceeding, one million dollars.

At the time of the August 28, 1962, contract, Joseph L. Alioto had agreed to share the fees he earned from the State Group cases with John J. O'Connell and George K. Faler. This arrangement to divide fees was kept secret from the State Group representatives. As a result of this secret arrangement, Joseph L. Alioto paid, in June, 1965, \$101,250 to Attorney General John J. O'Connell and \$50,000 to George K. Faler. These payments, approximately fifteen per cent (15%) of fees earned by Joseph L. Alioto as of June, 1965, from the State Group cases, were paid pursuant to the undisclosed agreement of Joseph L. Alioto to pay to John J. O'Connell and George K. Faler a total of fifteen per cent (15%) of the fees earned by Joseph L. Alioto under the aforesaid contract of August 28, 1962.

IN MAY of 1965, settlement of certain antitrust cases acquired for the defendant Joseph L. Alioto the total fees authorized for him under the August 28, 1962, contract. Joseph L. Alioto remained obligated under this contract to complete the State Group's anti-trust cases without payment of additional fees. As part of the conspiracy, in order for the defendants Joseph L. Alioto, John J. O'Connell and George K. Faler to receive additional, but unauthorized monies, they agreed that John J. O'Connell, as State Attorney General, would unlawfully remove the fee ceiling contained in the August 28, 1962, contract. John J. O'Connell's act was done without the knowledge, authority or consent of the State Group. Pursuant to this secret and unlawful act, the defendants, John J. O'Connell and George K.

Faler received one-half of the \$1,300,000 paid to the defendant Joseph L. Alioto in excess of the one million dollar ceiling.

MANNER AND MEANS

THE CONSPIRACY was to be carried out in the following manner and by the following means:

1. That certain of the anti-trust cases brought against Westinghouse Company and General Electric Company by some members of the State Group were settled by May of 1965. The fee to which Joseph L. Alioto was entitled by reason of these settlements reached the August 28, 1962, contract maximum of \$1,000,000. The limit placed upon the amount of fee to which Joseph L. Alioto would be entitled in all of the cases was, by written agreement, \$1,000,000 notwithstanding his continuing legal and contractual obligation to pursue personally the remaining State Group cases undertaken by him. The receipt by Joseph L. Alioto of all fees to which he was entitled foreclosed and brought to an end State Group fees which were to be unlawfully shared in by Attorney General John J. O'Connell and Special Assistant Attorney General George K. Faler under their prior secret agreement with Joseph L. Alioto.

2. That John J. O'Connell, as State Attorney General, agreed to and did secretly revise on May 4, 1965, the State Group retainer agreement with Joseph L. Alioto, to wit, he removed the aforesaid ceiling of \$1,000,000 on Joseph L. Alioto's fee. This action, performed by John J. O'Connell, as State Attorney General, was done with the mutual consent of Special Assistant Attorney General George K. Faler and Joseph L. Alioto.

3. **THAT IN** return for the removal of the ceiling on the fee, Joseph L. Alioto agreed to pay and did pay to John J. O'Connell and to George K. Faler fifty (50) per cent of all the fees received by him in excess of \$1,000,000. This promise and agreement of Joseph L. Alioto was intended to influence John J. O'Connell and George K. Faler to revise the fee contract of August 28, 1962, with State Group by removing the \$1,000,000 fee ceiling. The removal of the fee ceiling, and the agreement to share fees, was done without the knowledge and consent of the State Group who were totally unaware of its existence.

4. That during the period 1965 through 1967, subsequent to the May 4, 1965, removal of the ceiling on his fee, and entirely the result of the removal of the ceiling on his fee, Joseph L. Alioto received additional fees in the amount of approximately 1.3 million dollars in excess of the original one million dollar fee limitation.

5. That during the period March, 1966, through April, 1967, as a result of the revision of Joseph L. Alioto's fee contract and Joseph L. Alioto's agreement to share with John J. O'Connell and George K. Faler one-half of the fees received by him under the revised contract of May 4, 1965, Joseph L. Alioto paid to the then Attorney General John J. O'Connell, an additional \$429,000 and to the then Special Assistant Attorney General George K. Faler, an additional \$222,000.

6. That during the period 1965 through 1967 Attorney General John J. O'Connell paid to Pierce County Prosecutor John G. McCutcheon, approximately \$39,000, and John G. McCutcheon concealed the existence of the conspiracy.

7. **THAT IN** June, 1965, George K. Faler, the defendant herein, negotiated and arranged a fee contract between Snohomish County Public Utility District and Joseph L. Alioto wherein fees from anti-trust recoveries in the amount of 25% would be paid by the public utility district to Joseph L. Alioto. Neither the 50% interest of George K. Faler and John J. O'Connell in the fees of Joseph L. Alioto, nor the manner in which their aforesaid interest influenced the official actions of George K. Faler and John J. O'Connell was disclosed to the utility district.

8. That from October, 1966, to June, 1967, during the course of meeting and negotiations which resulted in a rebate of \$196,083 paid to the cities of Seattle and Tacoma upon their objection to unauthorized payments made to Joseph L. Alioto, under the secret May 4, 1965, contract, the defendants herein, Joseph L. Alioto, George K. Faler, and John J. O'Connell, undertook to conceal the direct financial interest of George K. Faler and John J. O'Connell in the fees of Joseph L. Alioto, and to conceal the factors influencing the official actions of John J. O'Connell in negotiating the rebate with and on behalf of Seattle and Tacoma.

9. That in April, 1965, John J. O'Connell, as State Attorney General, permitted George K. Faler to resign as an Assistant Attorney General and be immediately reappointed a Special Assistant Attorney General at a greatly increased salary. John J. O'Connell and George K. Faler, defendants herein, concealed Faler's new appointment and salary from the State Group whose funds were to be used and were used to pay Faler's new salary.

10. **THAT IT** was the further part of the said conspiracy that the said defendants would cover up and conceal the bribe payments made and the actions taken in furtherance of the conspiracy in order to conceal the existence of the conspiracy and the bribe payments in furtherance thereof.

11. That the defendants herein, as part of the conspiracy, would each of them characterize the monies paid to John J. O'Connell, George K. Faler and John G. McCutcheon as split-fees or legal fees.

12. That it was a further part of said conspiracy that the defendants would travel in interstate commerce between the State of Washington and the State of California in furtherance of the said conspiracy and they would use facilities in interstate commerce in order to further the objectives of the said conspiracy, including use of the interstate facilities of banking institutions, the telephone and the mails between the State of Washington and the State of California. . .

OVERT ACTS

1. **ON OR** about June 1, 1961, in the Western District of Washington, John J. O'Connell hired George K. Faler as an Assistant Attorney General.

2. In a memorandum of George K. Faler reporting the results of a meeting attended by him and members of the State Group on June 1, 1961, he wrote that "every expenditure or commitment for more than \$100 should be made only upon the majority consent of the steering committee."

3. In the fall of 1961, a meeting was held at the Palace Hotel, San Francisco, California, between Joseph L. Alioto and John

J. O'Connell and others during which a discussion concerning sharing of fees was held.

4. On September 10, 1961, a meeting was held in Seattle, Washington, attended by Joseph L. Alioto and members of the State Group to discuss antitrust matters.

5. On September 27, 1961, John J. O'Connell, as State Attorney General, wrote to the prospective members of the State Group to advise them that as a matter of public policy the State was perhaps in the best position to assume the responsibility for coordinating the antitrust litigation efforts and that the State was prepared to continue to offer its services in assisting the coordination of the litigation.

6. On October 19, 1961, John J. O'Connell, as Attorney General, wrote all members of the State Group that it was the positive duty and responsibility of all parties to continue with the antitrust litigation for a final determination and that during the course of the litigation he would feel it to be his responsibility to act in their interest, to seek their advice from time to time, and to keep them fully advised.

7. **ON DECEMBER 4, 1961**, John J. O'Connell swore under oath that as Attorney General of the State of Washington he was filing pleadings on behalf of members of the State Group in Civil Action No. 5380 against the General Electric Company for antitrust damages resulting from a purchase of hydroelectric turbine generators.

8. On January 8, 1962, George K. Faler wrote Joseph L. Alioto to advise him of the pendency of Civil Action No. 5380.

9. On February 20, 1962, Joseph L. Alioto sent a letter from San Francisco, California, to John J. O'Connell in Washington setting out his proposal for fees to be received by him from the antitrust case.

10. On March 23, 1962, Joseph Alioto sent a letter from San Francisco, California, to John J. O'Connell in the State of Washington concerning further discussions about the prospective fee Joseph L. Alioto was to receive from the antitrust cases.

11. On approximately July 16, 1962, Joseph L. Alioto traveled to Seattle to meet with the Attorney General and other members of the State Group to discuss with them his proposals for his fee contract.

12. On August 28, 1962, John J. O'Connell as State Attorney General entered into a written contract with Joseph L. Alioto on fees to be received by Joseph Alioto.

13. John J. O'Connell signed, as State Attorney General, on December 4, 1961, the complaint No. 5380 which charged General Electric with price-fixing on hydro-electric turbine generators installed on Grant County's Wanapum Dam, and Joseph L. Alioto's August 28, 1962 fee-contract agreement included the duty of Joseph Alioto to pursue this claim.

14. On September 21, 1962, Faler wrote all members of the State Group to advise them of the contract entered into with Joseph Alioto on August 28, 1962.

15. By letter of February 21, 1963, George K. Faler advised the City of Tacoma that George K. Faler and John J. O'Connell were not private practitioners but officers of the State.

16. **FROM APPROXIMATELY** April 26th to May 4, 1965, Joseph L. Alioto was in Seattle, Washington, to appear as trial counsel in the trial involving the antitrust complaint No. 5380 filed by Grant County Public U-

Continued on page 15

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grand jury indictment against Joseph L. Alioto

The Alioto Indictment

Continued from page 14
tility District against the General Electric Company.

17. On May 4, 1965, Joseph L. Alioto entered into a written contract with the Attorney General John J. O'Connell concerning fees payable to Joseph L. Alioto from the antitrust litigation.

18. On or about the time John J. O'Connell and George K. Faler knew of Joseph L. Alioto's revised fee-contract of May 4, 1965, Attorney General John J. O'Connell advised George K. Faler not to advise members of the State Group about the contract revision revision.

19. On approximately June 25, 1965, Snohomish County Public Utility District retained Joseph L. Alioto as counsel at a contingency fee of twenty-five percent (25%).

20. On July 1, 1965, John J. O'Connell opened a bank account at the Bank of America in San Francisco, California.

21. During the period July 1, 1965, to July 1969, John J. O'Connell conducted numerous banking transactions related to his San Francisco, California, Bank of America account, and the monies received by John J. O'Connell from Joseph L. Alioto were deposited there.

22. In the years 1966 through 1969, on reports of statement of financial interest required by law to be filed by the Attorney General, John J. O'Connell avoided listing his San Francisco, California bank interest and deposits.

23. On December 31, 1965, Joseph L. Alioto sent from San Francisco, California to George K. Faler and John J. O'Connell in Washington a check in the amount of \$20,000.00.

24. On March 28, 1966, Joseph L. Alioto prepared in San Francisco, California, and sent to John J. O'Connell in Washington a check in the amount of \$344,158.00. Thereafter John J. O'Connell deposited the proceeds of this check in his San Francisco, California bank account.

25. ON MARCH 29, 1966, Joseph L. Alioto prepared in San Francisco, California and sent to John J. O'Connell in Washington a check in the amount of \$196,029.00.

26. On April 11, 1966, Joseph L. Alioto in San Francisco, California, had prepared and sent to

John J. O'Connell and George K. Faler in Washington, a check in the amount of \$42,611.00.

27. On May 31, 1966, in San Francisco, California, Joseph L. Alioto prepared a check in the amount of \$53,871.50 and sent it to John J. O'Connell in Washington. On this same date, Joseph L. Alioto prepared in San Francisco and sent to George K. Faler a check in the amount of \$5,772.50, said check thereafter being deposited by George K. Faler in his California bank account. On this same date, Joseph L. Alioto prepared a check in the amount of \$6,300.00 and sent to John J. O'Connell and George K. Faler in Washington.

28. On December 21, 1966, Joseph L. Alioto in San Francisco, California, prepared a check in the amount of \$79,894.00 and sent it to John J. O'Connell in Washington.

29. On April 10, 1967, Joseph L. Alioto in San Francisco, California, prepared a check in the amount of \$35,247.88 and sent it to John J. O'Connell in Washington.

30. On or about April 12, 1966, John J. O'Connell traveled to San Francisco, California from Washington to meet with an employee of Joseph L. Alioto in order that the Federal Tax Return

of John J. O'Connell could be prepared and filed from Joseph L. Alioto's San Francisco office.

31. On or about October 10, 1966, George K. Faler advised for the first time the Seattle and Tacoma members of the State Group that seventeen months earlier, in April and May, 1965, that Attorney General John J. O'Connell had appointed George K. Faler a Special Assistant Attorney General at an increased pay rate and that Attorney General John J. O'Connell had entered into a contract revising the fee arrangement of Joseph L. Alioto. George K. Faler further advised that he had been instructed by John J. O'Connell to keep secret these new arrangements.

32. THAT DURING the period April, 1965, to May, 1967, Special Assistant Attorney General George K. Faler received approximately \$53,000 more as a Special Assistant Attorney General from the State Group's money he controlled than he would have received at his salary as an Assistant Attorney General.

33. In October and November 1966, John J. O'Connell conducted negotiations with the Cities of Seattle and Tacoma to determine the amount of rebate be received by Seattle and Ta-

coma from unauthorized fees paid to Joseph L. Alioto.

34. On December 27, 1966, John O'Connell traveled to San Francisco, California, from Seattle, Washington, to withdraw \$100,000.00 from his San Francisco account to use the money as his share of the fee rebate to be paid to the cities of Seattle and Tacoma.

35. On approximately December 30, 1966, the Bank of America mailed a bank draft drawn on the account of John J. O'Connell to John J. O'Connell in Seattle, Washington; thereafter John J. O'Connell endorsed the \$100,000.00 check and sent it back to Joseph L. Alioto in San Francisco, on approximately January 9, 1967; thereafter Joseph L. Alioto deposited this \$100,000.00 check in a newly opened San Francisco bank account.

36. On February 2, 1967, George K. Faler mailed from Washington a check in the amount of \$32,500.00 to Joseph L. Alioto in San Francisco, California.

37. On or about April 11, 1967, Joseph L. Alioto returned to John J. O'Connell rebate money of \$196,083.00 to be paid to the cities of Seattle and Tacoma; this included monies sent earlier for this purpose to Joseph L. Alioto by John J. O'Connell and George K. Faler; of the total sum, Joseph L. Alioto contributed \$98,042.00, John J. O'Connell \$65,716.00, and George K. Faler \$32,325.00; John J. O'Connell re-deposited this amount in bank accounts maintained by him in the State of Washington; thereafter in June, 1967, John J. O'Connell paid as trustee the rebate money to the cities of Seattle and Tacoma.

38. ON OR about April 12, 1967, Joseph L. Alioto filed his Federal Income Tax Return for the year 1966. In this return, Joseph L. Alioto did not list gross income in the amount of \$540,287, and he did not list deductions, characterized by him as split-fees in the amount of \$540,287.

39. John J. O'Connell did not file his State of Washington Business and Occupation Tax Return for the years 1965 through 1967 until January 20, 1970.

40. George K. Faler did not file his State of Washington Business and Occupation Tax Return for the years 1965 through 1967 until September 23, 1970.

41. John G. McCutcheon did not file his State of Washington Business and Occupation Tax Return for the years 1965 through 1967 until September 23, 1970.

42. John G. McCutcheon has not filed his City of Tacoma Business and Occupation Tax Return for the years 1965 through 1967.

43. On or about June 22, 1965, John J. O'Connell had prepared a cashier's check in the amount of \$5,000 and delivered it to John G. McCutcheon.

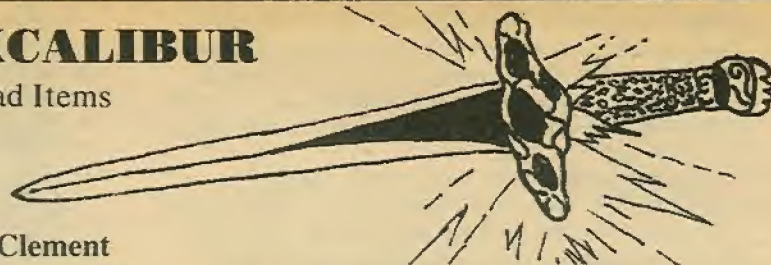
44. On or about April 12, 1966, John J. O'Connell had prepared a cashier's check in the amount of \$25,000 and had it delivered to John G. McCutcheon.

45. In the year 1967, John J. O'Connell delivered to John G. McCutcheon currency in the amount of \$8,851.

All in violation of Title 18, United States Code, Section 371. . .



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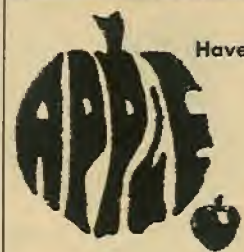
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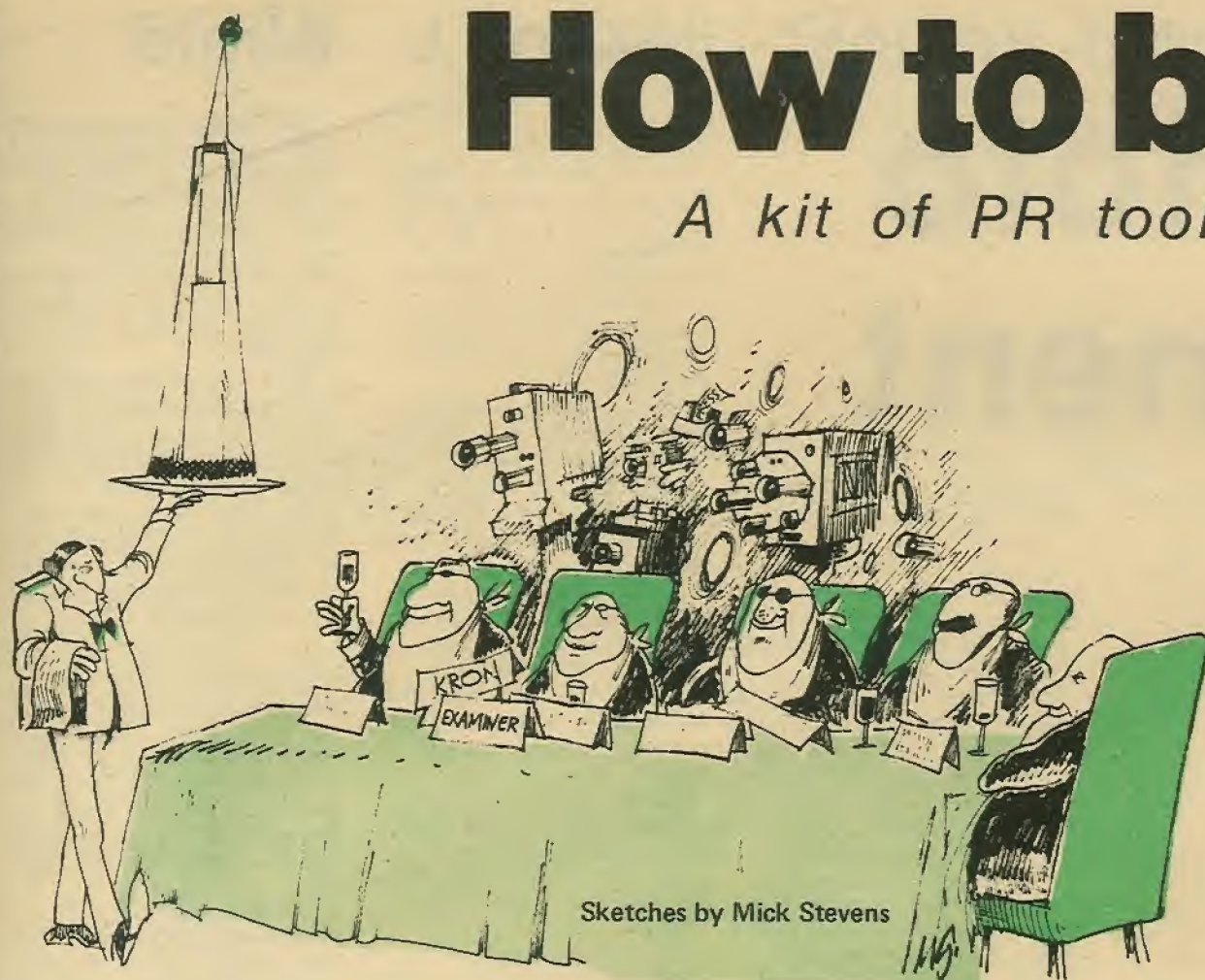


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How to build a pyramid

A kit of PR tools helps win San Francisco for a new high-rise



Sketches by Mick Stevens

BY JOHN KRIZEK

(Krizek is public relations manager of Transamerica Corporation and a judge last year for the SF Press Club's "Pulitzer of the West" newspaper awards contest. This piece, including the above headlines, was excerpted from the December 1970 edition of Public Relations Journal, a trade magazine published monthly by the Public Relations Society of America, Inc.) The sketches were done by Mick Stevens of the Guardian.)

Construction of a major new high-rise office building presents a public relations challenge in any city, particularly in this age of expanding environmentalism. The challenge is accentuated when the building is highly unusual (a pyramid), and the city is highly sensitive about its environment (San Francisco).

Transamerica Corporation last year found itself caught in a crossfire of controversy over its plans for a dramatic new headquarters building in its home city. From the initial announcement through commencement of construction 11 months later, public relations played a major role in moving the project from plans toward reality.

Most public relations programs for new buildings begin in earnest with a triumphal groundbreaking ceremony. For Transamerica, the groundbreaking itself, conducted under cloak-and-dagger circumstances, marked the anti-climactic end of a year-long effort, just to get the project to that point.

It was a campaign characterized by such aspects as:

- A striking design, which generated world-wide publicity;
- Sidewalk demonstrations for and against the plan;
- A complex series of steps necessary for city approval, culminating in two dozen lengthy public hearings, all well covered by the local media.

The story began with the decision by Transamerica Corporation—a multi-market service and financial organization with assets of \$3.5 billion and world-wide operations—to construct a new headquarters building. Its charming four-story flatiron building had been outgrown, and various subsidiary operations in the Bay Area were experiencing growing pains of their own.

THE COMPANY'S executives naturally wanted to stay in San Francisco, where the company had grown up. Early in the game, the company discovered that it would need about a half-million square feet of office space, about triple its own projected needs, in order to make the project economically feasible. The San Francisco Chamber of Commerce was then waging an aggressive national campaign to attract more executive headquarters operations to the financial district of San Francisco, so Transamerica's plans for a sizable office building met with immediate enthusiasm from that quarter...

With no small degree of hometown love and pride, Transamerica told its architect to design the most beautiful building he could. The chosen architect, William L. Pereira, a world-renowned designer and planner of cities—responsible for, among other things, Los Angeles' airport and art museum, Cape Canaveral, and the Irvine campus of the University of California—responded with a number of preliminary designs. Of these only one had universal appeal.

The pyramid design offered a graceful, soaring, and classically simple silhouette. At the same time, its sloping sides would permit more light and air to reach the streets around it, thereby helping to avoid the Manhattan-canyon effect. And its narrowness would obstruct fewer views than the customary rectangular slab design. Views, as most will agree, are especially important in San Francisco.

The corporate relations staff became involved in planning the announcement of the new building, even before the Board of Directors made its final decision to go ahead with the project in late December, 1968. We were well aware that the pyramid would have a startling effect and would undoubtedly generate some controversy. How much, none of us could have guessed. Like most companies putting up a new headquarters building, we were doing it for the first time. And, it had been a few thousand years since anyone tried such an unusual approach.

THE PLANS, including a five-foot study model, were kept under tight wraps at corporate headquarters, until the necessary steps we needed to take for announcement and approval could be determined. The Mayor and his chief administrative officer were the first city officials invited in to take a look, and to advise us as to the proper steps for approval. Subsequently, other city and Chamber of Commerce officials, and the city planning director, were invited in, prior to any public announcement. We asked all of them to keep the project confidential until we could make the public announcement, but it was obvious that a project of such unusual interest would not remain secret for long. Word of something spectacular began to trickle out.

A major press conference was announced on a Friday for the following Monday, in late January, 1969. The date coincided with the annual Chamber of Commerce banquet, which would enable the Chamber officials to share in the announcement, and the building to share in the exposure of the event. It also provided a week-end of relative security in which to prepare for the announcement.



'Carrying corporate identity to new depths, Transamerica secretaries applied pyramid decals to the hard hats of construction workers ...' (Krizek's caption for a publicity photo in the PR Journal.)

In spite of security efforts, a reporter picked up enough details to run a front page story in the Sunday paper, which helped heighten interest in the Monday conference.

The morning of the press conference, at a major hotel, was used for briefing sessions for v.i.p. and neighborhood groups. Included were key city officials and representatives of the nearby Chinese and Italian communities, the Telegraph Hill Dwellers Association, and others. Those who accepted the invitation were greeted by the architect, and the chairman of the corporation.

The morning briefings were followed by a special luncheon for the publishers and general managers of all the city's newspapers and TV stations.

The press conference itself, scheduled for 2:00 p.m., was just what most non-PR people imagine press conferences to be like: lots of bright lights and TV cables, and the press seated expectantly in rows. On hand were the Mayor and the president of the Chamber of Commerce, and the architect. The board chairman spoke briefly of the company's emotional ties to the city, its needs for a new office building, and its desire to create a building of unusual beauty. When he and the Mayor together pulled back the drapes to reveal the model of the pyramid, there was an audible gasp in the room.

THE MODEL was displayed that evening at a reception for the Chamber of Commerce banquet head table group, including the Governor and several high-ranking guests. The president of the Chamber lauded the project at the banquet, attended by over 1,000.

The initial reaction was nothing less than overwhelming. The pyramid was immediate front page news. Both wire services carried pictures of the model. Clippings began arriving from such far-off places as Japan and Europe. By May, the item had appeared in 140 newspapers in the United States outside of San Francisco, and its total circulation, based just on clippings received, passed 29 million. Both San Francisco newspapers ran favorable editorials that were later to stand us in good stead.

In the weeks that followed the press conference, meetings and briefings were sought and held with virtually every group, and every city official or politician who might have anything to do with approval of the project. A special luncheon was held for the city hall department heads, including the engineering and traffic people who would be intimately involved in the detail work. The architect was on hand to describe the project and answer their questions. A special luncheon was held for labor leaders. Private briefings were held for individual members of the Board of Supervisors, reporters, etc. A few groups spurned the offer of a special briefing. But the offers were made.

It soon became apparent that many individual battles would have to be won, that a complex community relations job was needed in order to win approval for the project. A building committee was formed, headed by the vice president—corporations, whose immediate responsibilities also included public relations and advertising. Serving on the committee, which met weekly or as often as necessary to discuss strategy and coordinate progress, were: the chairman of the board; the vice president in charge of construction; the PR manager; the president of the construction firm; representatives of the corporate PR counsel, Ruder & Finn; the architect and members of his staff; a corporate attorney; and an officer of the real estate firm responsible for land acquisition and leasing of the finished building.

PROBLEM NUMBER ONE was the location of the site, on the fringe of San Francisco's downtown high-rise financial district, adjacent to the low-rise and historic old Jackson Square and North Beach neighborhoods. The site lay directly in the middle of a one-block-wide strip of land, vaguely designated a "transition zone," which meant that the city Planning Commission had powers of "discretionary review" over any structure going up in that zone, even though it might meet all zoning regulations.

Problem number two was that a 1,000-ft. tall pyramid (the original configuration), even though within the city zoning code, was a far cry from what the city planning director had in mind for the area. It became clear that he would not recommend approval of the design, and the city Planning Commission normally rubber-stamped whatever the planning staff recommended.

Problem number three emerged as the project moved through the phases of study. The alley bisecting the site could not be bridged over, or straddled by the building, as provided by the original model, but would have to be closed, for safety reasons. This meant Transamerica would have to buy about one-third of a block of a public street from the city. Since the narrow street was used primarily to serve small businesses in the block, and for illegal parking, this seemed to present no problem, as far as the city departments were concerned. However, only the city Board of Supervisors had authority to sell city property. And, it would be necessary for the city Planning Commission to recommend approval or disapproval of the street closure...

The results of the hearing had the effect of shocking the project's opponents into a loosely-organized coalition. They realized if they were going to stop Transamerica from building, they would have to stop it over the legality of the sale of the public street, or they would have to bring public pressure to bear on the corporation to change its mind...

Negative publicity appeared in, of all places, the Washington Post. Its architectural critic quoted his contemporary in San Francisco, as well as the planning director who opposed the plan. The article, professionally illustrated to make the pyramid look as unfavorable as possible, was syndicated around the coun-

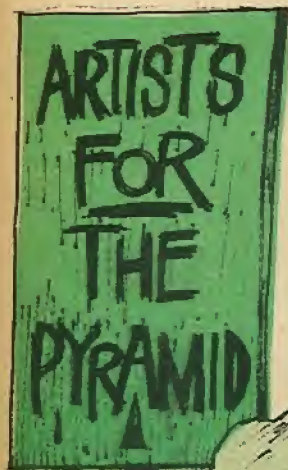
Pyramid

San Francisco's approval of the office building

try. Headlines began to appear, to the effect that architectural critics were quaking with rage over what was proposed in San Francisco. There were only two architectural critics quaking with rage at this point, but such is the nature of the media.

TRANSAMERICA OFFICIALS were somewhat surprised and hurt by the criticism, even though it was not totally unexpected and it appeared that there was ample support at official levels.

We learned indirectly that the opposition groups planned to meet one evening in a nearby nightclub.



'No one viewing the scene was aware that the counter-demonstrators were led by two young men who comprised an ad agency...'



We attended, surreptitiously, to observe and listen. Out of this rally, attended by 100 or so, came a letter-writing campaign directed to the Board of Supervisors. We thereupon accelerated a letter-writing campaign of our own, including support from several neighbors who supposedly were to be "overwhelmed" by the project.

A second rally was called by the opposition. This meeting was attended by perhaps 125 people, but included in that total were at least 15 people, including wives, who were there representing the corporate staff, the architect's office, and other friends of the project—all incognito.

The critics hardened. The structure was far too tall, they said, and it would destroy the beauty of the surrounding area. (Research showed a similar hue and cry raised in the 1930's over the construction of Coit Tower and the Golden Gate Bridge, both regarded today as sacred elements in the cityscape.) While the aesthetic arguments were perhaps pointless after the Planning Commission decision, it was apparent that a small group—some old, some young with long hair—were determined to have their voice in controlling changes in the city environment. At the root of their dissatisfaction was an understandable fear that high-rise urbanization might overwhelm "their" city.

It was announced, at this rally, that a sidewalk demonstration would be held the following noon in front of the Transamerica building. All opponents of the plan were urged to make their feelings known there. This left us little time to prepare for a demonstration—and the anticipated press coverage.

Our strategy was not to lock ourselves up in our corporate fortress, and thereby lend credence to the charges

of corporate arrogance and insensitivity. And we did not want to expose our officers to a dialogue with highly emotional demonstrators, in front of the TV cameras. Therefore it was the public relations manager who greeted the leaders of the demonstration, as they came through the door, followed by the TV cameras. After promising to deliver their petition to the chairman of the board, he led a covey of attractive corporate secretaries out on the sidewalk to serve iced tea to the demonstrators, with news cameras as witnesses.

There were only about 30 participants in the demonstration, but the Pyramid was now a public issue in San Francisco.

The next showdown came before the three-man Streets & Transportation Committee of the Board of Supervisors, whose duty it was to study the matter, and recommend to the full board whether to vacate the street or not. While most such committee hearings are held in virtual isolation, this one had to be moved into board chambers, because of the size of the crowd, and to accommodate the news cameras. The four-hour hearing was highlighted by a surprise visit by the Mayor, who showed up to testify on behalf of the project. As a result, the news was dominated by the Mayor's praise of the project. The committee voted 2-1 to pass the matter on to the full board, with a recommendation for approval.

BY THIS TIME, the corporate public relations strategy was to maintain as low a profile as possible with such a high-profile project. In a city where publicists outdo themselves to get client mentions in Herb Caen's column, we lost track of how many times the running debate over the Transamerica project was mentioned by accident—pro and con. When politicians, some of whom were not involved in city affairs, held press conferences, inevitably they were asked what they thought about the Transamerica building, and their responses were quoted. We read the papers not to see if we were mentioned, but how many times, by whom, and in what way.

As the initial showdown before the full Board of Supervisors approached, we learned, with less than a day's notice, of plans for a second lunchtime sidewalk demonstration. This one was summoned by what turned out to be the old coalition, under a new name: "Artists Against the Pyramid."

We felt a little like the over-popular hostess. We knew who was coming to the party, but what could we do that would be different, and still within the bounds of corporate propriety?

The demonstrators—basically the same group of 30 or so—appeared on schedule, five minutes before the TV cameras. This time they brought a three-foot pyramid of ice, to symbolically melt away under the summer sun, as they circled it, wearing cardboard dunce caps shaped like pyramids, bearing signs and literature prepared by the "Artists Against the Pyramid." The whole thing drew a pretty good lunchtime crowd.

Once again, out came the Transamerica secretaries, serving iced tea to the demonstrators and the press. This time they also served fortune cookies, which contained messages such as: "Transamerica not square outfit"; "Sphinx says: people who protest pyramid seek Cheap publicity." (When you are next door to Chinatown, you can get fortune cookies made up in a hurry!)

The group was quickly joined by a few hippie-looking young men, brandishing an "Artists FOR the Pyramid" sign, and passing out a leaflet of their own, which included a cartoon showing two ancient Egyptians in a raging argument over the construction of pyramids along the Nile. Newsmen felt constrained to get their views of the project, as well.

No one viewing the scene was aware that the counter-demonstrators were led by two young men who comprised an ad agency, who had come to us a week earlier with the idea for a kookie advertising campaign to elicit public support for the building. We had declined, but when they learned of the second demonstration they were only too happy to join in!

In the midst of it all, the corporate relations staff distributed a question-and-answer fact sheet.

The effect of all this was to turn the whole demonstration into a party on the sidewalk, with both sides of the question apparently equally represented. Any aggressive intent the demonstrators may have come with was defused. Local press coverage of the event tended to be on the light-hearted side. However, the controversy had now achieved national media attention.

In this charged atmosphere, the whole issue rolled before the full Board of Supervisors in late August. After another tumultuous 4-hour hearing, with over 200 present, the board voted overwhelmingly to sell the little-used street to Transamerica.

The San Francisco Bay Guardian June 7, 1971, page 17

And so the battle was won. Transamerica could go ahead with the project. Right? Wrong.

THE ARCHITECT and the chairman of the board took a long look at the design, and decided it wasn't right. We had over-compromised. Back to the drawing board, and a new design, substantially different enough to require Planning Commission approval; it would also require purchasing an additional 23 feet of the street...

By this time, it was November, and another factor entered the picture: that of timing. It was essential that construction commence before the end of the year. For many years, California had encouraged in-



'...the ground-breaking itself, conducted under cloak-and-dagger circumstances...'

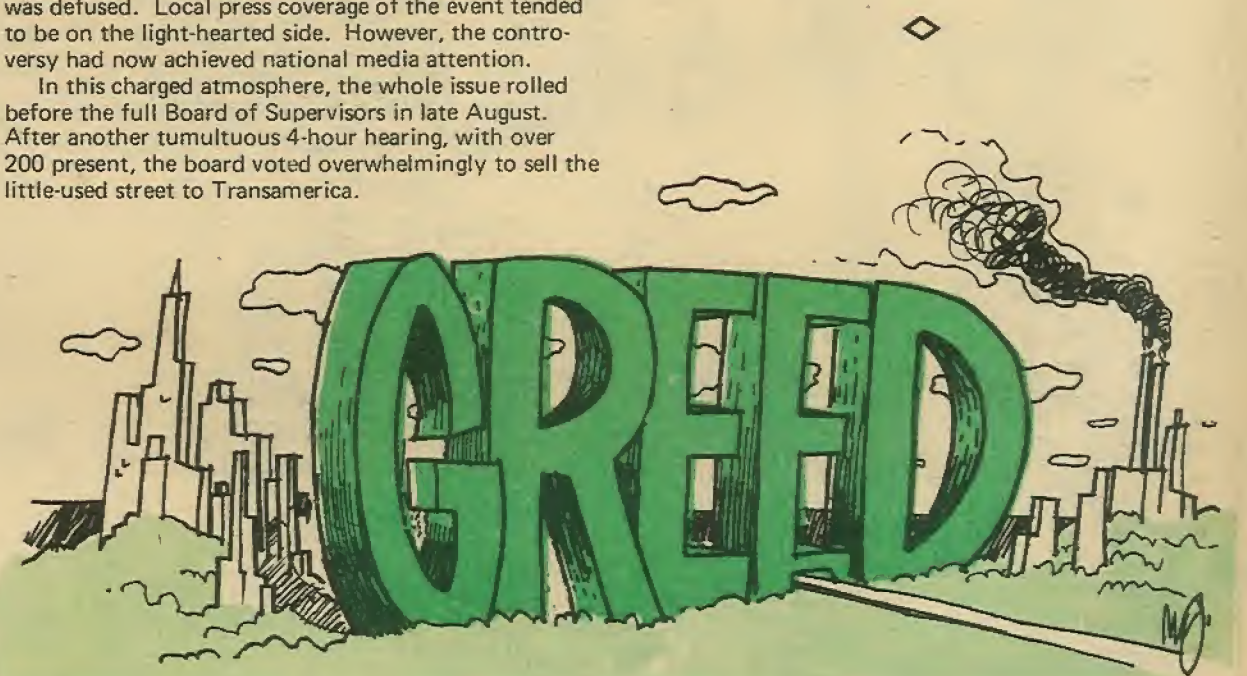
insurance companies to locate home offices in the state by allowing them to deduct from their state premium taxes whatever they paid in local property taxes on a headquarters building. This law contributed to San Francisco's status as the financial center of the west, and the several insurance buildings in its skyline. But the law was to expire at the end of 1969, and if construction were to begin after December 31, the building, estimated to generate about \$750,000 per year in property taxes, would not qualify for the deductions.

December came, with the final 23-foot piece of street yet to be formally acquired. A site permit, which would permit ground to be broken and construction thereby to commence, was yet to be issued. The die-hard opposition knew its only hope for stopping the project was to file a site permit appeal, which could immediately delay construction, until another hearing could be held after the first of the year. However, an appeal could not be made until a site permit was issued. Both sides therefore watched carefully as the paperwork at city hall progressed toward issuance of the site permit.

On the day in mid-December when the permit paperwork neared completion, a representative of the contractor went to city hall and made sure everything was in order, before calling a corporate vice president, who arrived in a pick-up truck during the lunch hour to avoid being recognized. A few minutes later, he flashed the message to the construction supervisor and public relations manager, lurking in a restaurant across the street from the site: "Have permits in hand. Get ready to move in 20 minutes."

Photographers who had been waiting in phone booths appeared on signal. The small group converged casually on the site. Out of a basement excavation, where they had been hidden all morning from street view, crawled a tractor and a truck. And to the cheers of the smallest crowd ever to conduct a major building groundbreaking in San Francisco, the tractor bit through the surface of the parking lot, and the Transamerica Pyramid was safely under construction.

An hour later, word came that a site permit was being filed...



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Drawing by Louis Dunn, SF Bay Guardian, 1971.

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ON GUARD

'The Last Hurrah'

We do not presume to judge Mayor Alioto's legal guilt or innocence in the bribery, fraud and conspiracy charges filed against him by the Seattle grand jury.

It is one thing to suspend judgment, until the trial, on Alioto's guilt or innocence as a private attorney who secretly "split fees" totalling \$802,000 with three public officials.

It is quite another, it seems to us, to judge his indictment in the context of Alioto as mayor, a mayor who may run for re-election this fall before the trial and a mayor who is using the full power and prestige of his office to mobilize his press conference defense.

In short, what do the indictment, Alioto's defense and all the known circumstances tell us about Alioto's fitness to run again for mayor?

Is there enough evidence on the record to judge Alioto fairly in his public capacity as mayor and unannounced candidate? We think there is. Let's examine the most important evidence.

It should be said straightaway that Alioto's public relations defense—that the Justice Department Republicans are after him, that they're in cahoots with Look Magazine—is as Tom DeVries put it on Newsroom, "highly unlikely." For the crucial facts are that (1) Alioto's huge payoffs to McConnell and Co. were investigated by the IRS, not Justice; (2) those investigations were concerned with State Atty. Gen. John McConnell, not Alioto; (3) the IRS got interested in McConnell when the Seattle Times disclosed, during McConnell's unsuccessful campaign for governor in 1968, that McConnell had paid thousands of dollars to Nevada gambling casinos; (4) McConnell, who received \$23,000 his last year as AG, refused to say in television interviews where he got the money; (5) McConnell's gambling funds were part of Alioto's payoff, but O'Connell then wasn't admitting sharing in those fees; (6) the IRS began investigating McConnell's income no later than the spring of 1969; (7) In December 1969, page one stories in the NY Times, Oakland Trib and Seattle Times reported the IRS investigation and the kickback of three-quarters of a million dollars from Alioto to O'Connell and a deputy. McConnell admitted for the first time he had had a private practice (just this case, it turned out) while AG. (8) It was these stories, DeVries said, that prompted the Justice Department investigation.

If there was a conspiracy, it was a conspiracy of silence in the San Francisco press on behalf of Alioto.

For Alioto has gotten an amazingly good press in San Francisco: first, because the Examiner and Chronicle didn't run the main breaks on the stories (the early O'Connell gambling debt stories, the later Times/Trib/Times disclosures of "fee-splitting"); second, because even the indictment stories were careful and allowed Alioto full play. The Oakland Trib even ran a copy of the full indictment.

The further point on Alioto's Republican plot defense is that the strongest demand for an investigation came from the most powerful Democratic Club in Washington State—the Metropolitan Club of Seattle. O'Connell's conduct, it said, was "reprehensible." Most of the utility district directors and attorneys now suing Alioto in civil suits are Democrats.

Besides the conspiracy charges, Alioto makes these other three major points: He and the others were acting legally in the "fee-splitting," because in Washington the AG can engage in private practice; that no criminal allegations have been filed against him by Washington officials, and that the utilities districts he represented had knowledge of the "fee splitting."

Point: Washington state law does not either permit or forbid such activity, but a landmark 1904 state supreme court case says the AG cannot accept additional fees in cases in which he represented the state.

Point: In Washington, the attorney general does not have jurisdiction to initiate criminal charges. The state has started a civil suit against Alioto.

Point: "The first time I ever heard of the fee sharing was when I read it in the papers," Seattle attorney Gerald Collier remarked when he came out of the grand jury hearing.

In sum, Alioto's public defense is at best unconvincing and shabby. It has taken an enormous drain on his time and energy, but more important the indictment and his defense have seriously and perhaps fatally eroded his executive ability and moral leadership to operate effectively as the mayor of San Francisco.

We think he ought to decide not to run for re-election and that he should do so promptly, so better candidates than he can get into the race.

Feinstein for mayor!

There are two good candidates, who we feel are strong enough now to unseat Alioto, if they mount strong public interest campaigns. One is Assemblyman Willie Brown. The other is Diane Feinstein, president of the Board of Supervisors.

Brown, under Speaker of the House Moretti, has a powerful liberal voice in Sacramento and we would hate to see him relinquish it.

Mrs. Feinstein, we feel, is the best choice at the moment to tackle Alioto and we urge her to consider the prospect seriously. Her work as a full time supervisor has consistently grappled with the City's major issues and the findings and legislative recommendations of her task force, force Feinstein, as Dick Nolan aptly puts it, could be translated into the great issues of tax reform, civil service reform and environment progress in a strong platform for a public interest mayor.

For supervisor

A few of the good people the Guardian would like to see run for supervisor in San Francisco:

EDISON UNO: the toughest and most articulate grand juror since Henry North and his famous Candlestick grand jury; JAMES FRANKEL: attorney and former chairman, SF Charter Revision Committee; AUDREY RODGERS: member of SF Charter Revision Committee; RUSSELL MILLER: ran a strong race last fall against Cong. Mailliard; JACK MORRISON: we still remember him as the best of the SF supervisors; JOHN RIORDAN and ED STERN: the two strongest candidates, intellectually, in the field four years ago; CECIL WILLIAMS: the Glide minister would like to go for mayor, this time out, but he probably wouldn't make it. Here's the place for him to start. With Williams in the race, he might, just might, make an honest man of Terry Francois for the balance of the campaign. LEWIS BUTLER: he'd make a better supervisor than a mayor; GARDNER MEIN: conservationist and active in waterfront fight; ZAIDE KIRTLEY: attorney and active in NOW; MORRIS LOWENTHAL: saved the cable cars; DR. WALTER STANTON of San Francisco Tomorrow; and DAVID JOHNSON: active in Haight Ashbury groups.

Oil beneath the troubled waters

The people have the right to know, and Congress has the duty to explore, the relationship between the President's Vietnam policy and recent reports of possible rich petroleum deposits off the shores of South Vietnam.

It is now more than three months since Another Mother for Peace asked the ugly but important question:

"Are our sons dying for offshore oil?" Since their 10,000 letters and telegrams to Sen. Fulbright, there have been three important new reasons for thinking that oil, while not the only factor, is indeed a prominent consideration underlying the Laos incursion and other seemingly paradoxical features of U. S. strategy.

First the facts themselves are clearer than before. It is now known that in May, 1969, a small international meeting in Bangkok heard a promising preliminary report which warranted more costly geophysical surveys in South Vietnamese waters, particularly in an area that was as close to the mainland of Cambodia as of Vietnam itself.

The next month, a bill for petroleum development was introduced into the South Vietnamese parliament, and in December, 1970, its promulgation as law opened the way to bidding on offshore leases. The bill was modeled on a Thailand law drafted by Walter Levy, a New York consultant to major oil firms who during WWII was petroleum chief for the Office of Strategic Services (the CIA's predecessor).

Now the Journal of Commerce (April 1, 1971) reports that "An oil industry source who has seen private seismic surveys of the ocean floor off South Vietnam believes the region may contain the richest petroleum deposits in Southeast Asia" and Forbes Magazine (March 15, 1971) reports "speculation that the entire Far East could contain oil deposits rivaling those of the Middle East."

Second, the peace group's request for Congressional hearings has produced considerable evasiveness among those most concerned. The same oil trade journals which a year ago talked glowingly of the region's oil prospects are now silent, and the big oil companies now refuse to comment. The competitive bidding, publicly announced by Saigon for February, has now been inexplicably postponed, though with rumors that it may be completed in secret in the next few months.

There are reports, both from Rep. William Anderson and in responsible newspapers abroad, that despite evasiveness and the obvious political risks, the oil companies do intend to bid for 30-year leases in South Vietnam, having already secured (as is their custom) some kind of "assurances" from Washington.

PERHAPS THE greatest evasiveness has been shown by the State Department. In Washington on March 12, it belittled the question of the oil leases, less than two months after Ambassador Bunker spoke to the U.S. Chamber of Commerce in Saigon about the impor-

tance of U.S. investment to the success of "Vietnamization."

Mr. Bunker's speech, reproduced in the State Department Bulletin of February 15th, referred specifically to the investment opportunities presented by the new Vietnam petroleum law. The State Department now affects ignorance about Vietnam oil deposits, but the oil exploration program there was initiated largely by its own circular note CA-6459 of March 8, 1968, on oil exploration.

Third, the Administration's recent words and actions have made it clear that the greatly expanded U.S. air war in Indochina will be continued until (as the President put it) South Vietnam can defend itself—which could well mean indefinitely. Secretary Laird has specified that U.S. troop withdrawals from Vietnam will not affect the U.S. pilots and B-52's in Thailand—the backbone for the 300 air strikes a day which the U.S. now flies in Cambodia alone, in addition to Laos.

It seems more and more likely that the U.S. will indeed withdraw from the northern areas of South Vietnam, intensify the pacification program in the Mekong Delta, and continue to transfer the heavy military action to the hinterlands of Laos and Cambodia. This strategy is well fitted to protect the eighteen blocks of the South Vietnamese continental shelf which have already been marked out for bids, for all of these lie south of the Mekong river and to the west towards Cambodia.

Recently the North Vietnamese announced publicly that they would arrange for the release of U.S. prisoners in return for a publicly announced date of final U.S. withdrawal. The President's rejection of this proposal can hardly have cheered the prisoners themselves. But it must have brought cheer to the 30 or more oil companies said to be interested in Saigon's leases.

A SERIOUS Congressional airing of the oil factor in our Vietnam policy is a matter of national urgency. While more and more of our political and economic leaders call for total extrication from Indochina, it will prove more difficult to do so once U.C. companies have commenced expensive drilling there on the basis of 30-year leases from the corrupt and unpopular Thieu-Ky regime.

It is of course notoriously difficult for Congress to deny the oil lobby: one has only to look at the oil depletion allowance and other special tax favors by which many oil millionaires have paid no income taxes at all, and some major oil companies themselves pay federal taxes at an annual rate of some one or two percent. But the national order of priorities is clearly to secure peace in Indochina first; and only then to engage in possible oil arrangements with whatever government is acceptable to the Vietnamese people themselves.

To implement the oil leases before the peace would be a surefire formula, not only for further bloody war in Asia, but for an aggravated political crisis in America itself.

By Peter Dale Scott

(Scott is a former member of The Canadian Foreign Service, Associate Professor of English at the University of California, Berkeley, and author of "The Politics of Escalation in Vietnam" (1966). He is currently writing a volume on the covert origins of the Indochina war. His editorial was distributed by Another Mother for Peace, an anti-war group which claims 225,000 members.)

The billion dollar question

(An April 21 editorial by KNX Radio, Los Angeles)

Don Jameson saved a piece of paper from his phone bill that most of us throw away. (See Jameson story, p.10)

It said that Pacific Telephone was seeking a rate increase from the Public Utilities Commission. As a computer Consultant and Analyst, Don decided to see what kind of growth projections the phone company used to justify the request.

He figured out the company's rate petition and found it supported a 20 percent-a-year construction growth rate. The company told him that figure was actually closer to 10 percent.

Either way, Don tried to find statistics to back up a 10 or 20 percent-a-year construction program.

He didn't find it in projected population growth. That's under two percent. Or, in annual main-station installation. That's under five percent. It wasn't in higher toll call usage. That's only six percent a year.

So, the Billion Dollar Question is: "Why?" Why all this construction, and who's going to pay for it? Only the phone company knows the answer to "why." We all know the answer to who is going to pay for it—you and me, the rate-payers.

In the opinion of KNX, Pacific Telephone must spell out why they need such a massive building program. Where is the 10 or 20 percent growing demand for phone services? We don't think it's there. And, if it isn't, the rate increase shouldn't be there either.

On the waterfront—

Why does Harry Bridges threaten to scuttle the ideals of the ILWU?

By Dick Meister

(Meister, labor reporter on KQED's Newsroom, was the only Bay Area newsman covering the ILWU convention last month in Hawaii.)

PRESSURES ARE developing that may push the International Longshoremen's and Warehousemen's Union from its position as one of the country's most progressive unions.

And the major pressures, ironically, are coming from ILWU President Harry Bridges, the man who has been most responsible for the ILWU's rare position as a union with a genuinely progressive leadership and an aware, articulate and progressive membership that participates democratically in union operations.

Bridges, quite simply, wants to merge the ILWU with its eastern counterpart, the International Longshoremen's Association—a decidedly non-progressive union whose size and influence would enable it to control and dominate a merged union.

Bridges' hope for an ILWU-ILA merger has been common knowledge in city labor circles for some time. But it wasn't until the ILWU's biennial convention in Honolulu this April that Bridges began applying the real pressure.

Among other things, Bridges invited ILA President Teddy Gleason to deliver a major convention address and to bring along his principal officers for three days of lobbying ILWU delegates.

Gleason told reporters he favored merger as "the best thing" for both unions—an essential combining of union forces in the face of new employer combinations.

"Industrial developments threaten us all and urgently cry out for us to work together," Gleason declared in his speech.

BRIDGES AGREED

there should be "close cooperation" between the two unions, but he claimed in his public remarks that he wasn't necessarily advocating merger.

The question of merger, Bridges said repeatedly, was a matter strictly for "the rank and file."

In his private discussions outside the convention hall at the Ilikai Hotel, however, Bridges tried very hard to sell delegates on a merger.

Yet, the two unions don't have much in common except that they both represent longshoremen. The ILWU represents 15,000 of them plus 45,000 other workers in Hawaii, Alaska, British Columbia and Washington, Oregon and California; the ILA represents 115,000 of them on the Atlantic and Gulf coasts and elsewhere outside the West Coast.

The ILA was expelled from the AFL in 1953 on charges it long had been dominated by corrupt leadership and, although supposedly clean now, the union has many of the same leaders it had in those days which inspired such exposes as the movie, "On the Waterfront."

Charges of corruption have been extremely rare, on the other hand, in the history of the ILWU. And though the ILWU also was ousted from the official labor movement (the CIO in its case), it was ousted for political reasons—on charges it was dominated by "communist philosophy."

Political differences, in fact,

probably are the greatest differences between the unions.

The ILA is one of the country's most politically conservative unions. ILA members have led contingents of hardhats against anti-war demonstrators with the support of their union officers, for example, and have refused to unload cargo from Eastern Europe.

And no labor leader—not even AFL-CIO President George Meany—has been more outspoken in support of the Vietnam policies of Presidents Johnson and Nixon than has ILA President Gleason.

IN CONTRAST, ILWU

members have led peace demonstrations, of course, and their union officers have been consistently outspoken opponents of the Vietnam war and the foreign policies of Johnson and Nixon.

The convention was typical on this matter. ILWU delegates called for such new steps as "a nationwide work stoppage" to try to end U.S. involvement in Southeast Asia, and advocated greatly increased trade between the U.S. and communist East Europe.

Even on bread and butter matters, the two unions have been apart.

The ILA's basic policy of late has been to insist that employers hire a certain number of longshoremen for particular jobs whether they feel they are needed or not. That means insisting, in the face of the continued introduction of labor-saving machinery, that the same numbers of men be kept on the job nevertheless.

The ILWU has taken a much more sophisticated approach. The union has allowed the introduction of labor-saving machinery—often has encouraged it—and the consequent reduction in the number of dock jobs, in exchange for the granting of special benefits to ILWU members.

Officially, the proposal to merge these distinctly different unions didn't get anywhere at the ILWU convention.

There had been plans to raise the issue officially at the convention, perhaps to set up a referendum among the members of the two unions.

The delegates weren't very enthusiastic, however—most especially not the militant and strongly independent Hawaiian delegates whose votes would have been essential to any such scheme.

THUS, MERGER proponents had to settle for what was their most likely plan anyway—to plant the seeds and lay the groundwork for a move later, perhaps in 1973 at the ILWU's biennial convention in San Francisco.

In the meantime, the two unions will work closely together on such things as the ILWU's current negotiations on new longshore contracts, and talking up merger quietly among their members.

"We pledge ourselves to the goal of industry-wide unity and industry-wide solidarity," Gleason told convention delegates. "We extend to you the promise of our fraternal support in your efforts toward a new collective agreement."

In terms of numbers anyway, a merger certainly would greatly strengthen the unions in their contract negotiations.

But what would it do to the tradition of rank-and-file democracy and left-wing political acti-

vism in the ILWU to have the union merged with the much larger ILA, which lacks such traditions?

Why would Harry Bridges want to submerge the union which he had helped found and, more than any other man, make into a unique and extremely important instrument for social, political and economic justice?

THE ANSWER, many disillusioned ILWU members say, is simply that Bridges does not want the ILWU to remain as an independent entity after he leaves ILWU office.

These ILWU members say Bridges especially does not want to turn over direction of the union to his heir-apparent, Louis Goldblatt, the ILWU's brilliant and long-suffering secretary-treasurer.

Rather than an independent entity under Goldblatt, the ILWU would once again become merely a division of the ILA, as it was until 1937 when Bridges led it out and on a more progressive path.

And the leader would be Teddy Gleason who, whatever else he is, at least is not an egghead and a warehouseman, two traits of Goldblatt that seem to disturb Bridges.

That's a harsh judgment of Bridges, but convention delegates were left with no other likely interpretation considering the changes in the ILWU's constitution which Bridges tried to get approved.

One change would have denied ILWU office to anyone over 60 after 1973 when Bridges, now 70, is expected to retire. It seemed no coincidence that Goldblatt will be 61 this year.

If that wasn't enough to convince delegates, there was Bridges' admission, during debate on the proposal, that his basic purpose was to make certain the union continues to be led by a longshoreman.

Delegates voted overwhelmingly against the amendment and related amendments proposed by Bridges, however, and one delegate, in one of the most dramatic moments of any ILWU convention, demanded from the floor that Bridges shake hands with Goldblatt in front of the convention.

Yet delegates also nominated Bridges by acclamation for reelection to a new two-year term. What may happen during that two years obviously is not clear at all. But if only temporarily, the ILWU remains as it was, one of the best damn unions in the country.

Guardian wins special planning award

The San Francisco Bay Guardian has been given a special citation by the American Society of Planning Officials for its "immensely useful role" in advancing city and regional planning.

The Miami Herald won the 1971 Journalism Competition Award of ASPO, the national organization of professional planners. The papers receiving special citations:

The San Francisco Bay Guardian for "the immensely useful role it plays in digging into areas where the big dailies apparently fear to tread: its stories reflect a great deal of research and careful documentation."

The Hartford Times for "the continuing strong support of planning concerns demonstrated almost daily on its editorial page."

The St. Louis Post-Dispatch for "innovative evaluation of environmental issues in its semi-weekly section 'Challenges: The Quality of Life.'"

The Washington Star for showing "journalistic know-how in placing complicated urban problems in human terms."

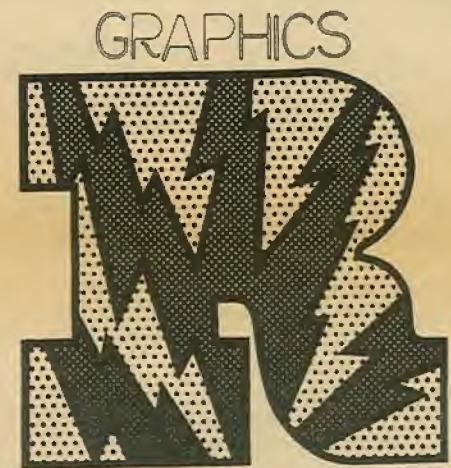
The Honolulu Advertiser for "an excellent piece of crusading" and "an outstanding example of how far newspaper savvy and perspicacity can go in preserving what's left of our national environment."

The Lerner Newspapers which were cited as "a particularly fine example of the fact that effective exposure of a controversial subject need not be limited to the big, powerful, heavily-staffed dailies."

The Louisville Courier-Journal and Times for "a standard of excellence set in years past and well-maintained in this year's entry. Especially noteworthy is its Sunday section on urban and suburban affairs."

Members of the 1971 jury were Lachlan F. Blair, Professor of Planning, Department of Urban and Regional Planning, University of Illinois at Urbana-Champaign; Paul Gapp, Director of Special Projects, Office of Public Affairs, The University of Chicago; and N.W. Newman, Reporter, Chicago Daily News.

Previous winners of the ASPO Journalism Award are: The Sandusky (Ohio) Register; The Milwaukee Journal; Lloyd Hollister Publications (Wilmette, Illinois); Honolulu Star Bulletin; and others.

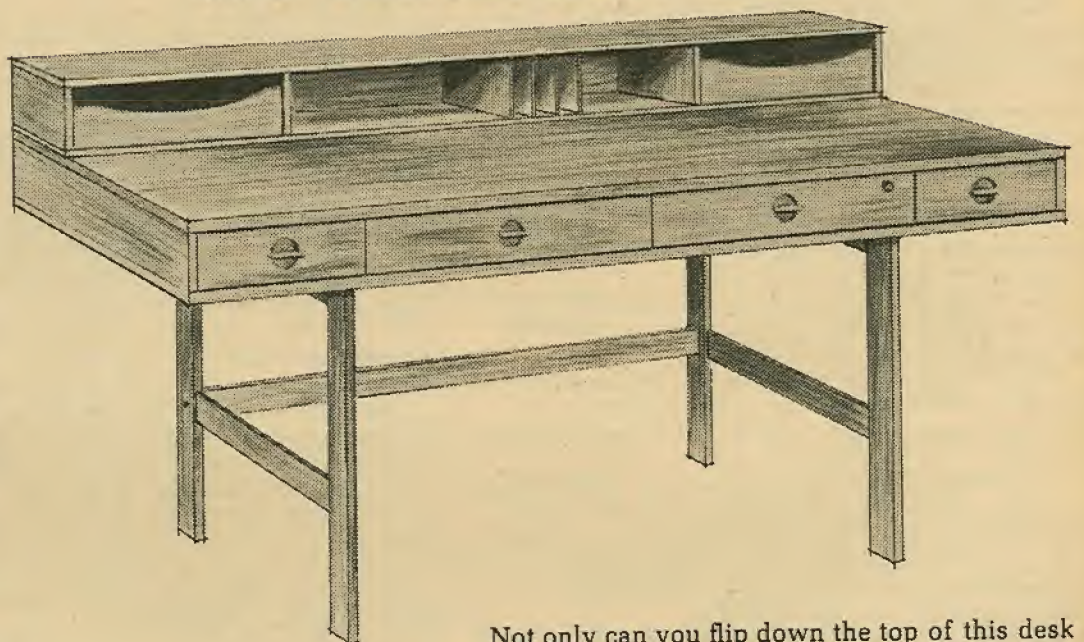


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the case of ruchell magee

The San Francisco Bay Guardian June 7, 1971, page 21

By Bill Anderson

Last month down at big sur a hitchhiking dude told me (and it was true) that walking along route one on the ocean side all I can hear is the sound of water beating on the rocks; but if I walk on the cliff side next to the clay bank from time to time I suddenly hear a soft pssst. . . the whales are sounding on their way north from mexico! and the soft sound fills me with a weird feeling, as if I remembered a place that's deeper than the superficial level of things.

Walking along a central hall of the marin county civic center, I feel like I'm inside a whale, the long plastic skylight stretching like a spine over me, with the vertebrae made of light. On the court floor the scale is more intimate--the courtrooms are circular and cozy, the seats are upholstered in blue, and the furniture is special handrubbed walnut, made in the workshops of the jails of the state of california.

Ruchell magee's real troubles begin in 1955

JONAH

when he's busted for alleged rape of a white woman in loosiana. She's sleeping in her nightgown in the middle of the day, she says, having left the screen door at the back of the house unlatched, and ruchell magee, black, 16 years old, creeps in and tries to rape her. He's caught, jailed, sentenced. If this were a movie he'd be taken out of jail in the middle of the night by a lynch mob, soaked in gasoline and set on fire! But no, he serves about six years of a twelve year sentence and then comes to los angeles where six months later he's busted for taking ten dollars and a car from a black musician.

The charge is kidnapping and he goes to the joint. His IQ, according to the loosiana prison system, is 75 and he shouldn't be able to deal with anything more complicated than a fourth-grader can, but he plunges in anyhow, getting a prison reputation of being 'recalcitrant' because he doesn't want to do anything except study law.

The state will allege that one day in august, 1970, he happens to be in the courtroom of judge haley in this same civic center, giving testimony in the case of another convict (or slave, as magee puts it) when jonathan jackson stands up, whips aside his coat and announces that he's taking over. Magee is accused of having participated in the kidnapping of the judge and other hostages, being in the yellow van when the firing begins. Even if he didn't shoot anybody, as a life prisoner convicted of assault on a non-prisoner he would face a death sentence. Section 4500 of the penal code.

April. Angela comes into the courtroom this day with her hair in a natural out to here. She grins and sits down, looking thin and light. A stringer for a wire service sits close to me; feeling the tension in the room, she begins a facetious remark about where does angela do her shopping. Isn't that a reptile print dress she has on. In the back the spectators are groaning loudly and motioning in derision because the bailiff makes them move in strict order to their seats. Why does my stomach hurt so much when I'm at this trial? An actual physical pain! Judge lindsay, the special judge imported from alameda county for this case, smiles gently as he floats behind his special handrubbed in workshop convict bench.

No, the judge says smilingly, magee cannot be heard. No, his petition to have the case removed to the federal courts is denied. No, he can't fire any more of those wild writs, charging everybody with everything, to higher courts. The higher courts say his writs are frivolous and without substance. They make a special rule: a judge will decide if his writs have merit before they can be filed with higher courts. Otherwise, the courts say, he would paralyze them with his papers.

But magee isn't the one doing the paralyzing. Indeed there is paralysis kind of seeping through the air, but magee isn't doing it--in fact, he seems to be the only person in court immune to it. Even the lawyers for the defense seem to be under the spell of some invisible, childhood trauma. Or they seem, we all seem to be like animals running about in the middle of a field, never approaching the boundaries of THE WAY THINGS ARE because there the powerful, electric fence awaits us. We don't remember the initial shock, that's gone from our minds, we just don't go out to the boundaries. Listen to the tapes of the conference magee has with his lawyers, for example. Over and over again he rages at them. Why don't they do anything? He's the only one filing any papers at all! Make them remove the case from the state to the federal level! Then his lawyers tell him it can't be done, they've tried repeatedly in the last few years to do the same thing in other cases and been thrown out of court every time. Then magee, his voice sounding full of contempt, suggests they're all in collusion--he's the only one who's done anything at all--he forced the previous judge to disqualify himself for prejudice. (Men in jail believe that people on the outside are very free.)

Early in may. Another hearing. Magee sits in the middle of a strange kind of light. His skin looks faintly grey, faintly luminous, faintly green--flesh tones against the hand rubbed convict walnut. He lounges, with the metal shackles on him, and he obviously sees quite clearly what is coming down on him. Judge lindsay for once isn't smiling and magee points out that the judge hasn't ruled on an earlier motion to tire his lawyers and let him represent himself. The judge begins to talk--it's hard to see where he's coming from--he's saying he was in a judge's workshop recently and just this point HAPPENED to come up, people versus jones, where the court was held to have been in error in allowing the prisoner (magee would say slave) to represent himself without further determination to find qualification.

Magee waits impatiently until the judge is finished, then he says papers have already been introduced that deal with qualifications. The judge says later, later, and starts again--he has a list of 25 lawyers drawn from marin, san francisco, alameda and los angeles counties and he came on this los angeles attorney who's very good and has represented blacks. Judge lindsay is careful to point out that this lawyer was not personally known to him until the previous weekend when he flew down himself to los angeles and met the lawyer at the airport, where they talked until one in the morning. The lawyer agrees to accept judge lindsay's appointment if it's OK with magee. The judge intends to dismiss magee's present attorneys and appoint this new man, whose name is graves. He is a specialist in death row cases. There will be a short recess while he and magee talk.

After recess graves not very surprisingly says magee won't accept him. Magee wants to represent himself. Then graves says he feels magee hasn't been adequately examined with respect to competency. Lawyers think too much of the profession, he says, they think laymen can't defend themselves. Graves then reaches into his case and starts pulling out books, quoting from them and running down how magee is in a long tradition of people who have passionately defended themselves--socrates, joan of arc, sir walter raleigh.

It's not that he hates all attorneys, as some people think (magee begins talking with immense power), it's only that he's been held IN SLAVERY for seven years as a result of actions by lawyers (appointed over his protests) who are in collusion with the system. As is the press. He resents the 'contemptuous' treatment he gets from the papers. They refer to him as being below normal in intelligence. According to the loosiana authorities he has an IQ of 75 but he can decipher the lawbooks all right. They should test him for competency in that area. Furthermore, he says, he can't be tried under section 4500 of the penal code (mandatory death for a life slave convicted of assault on a non-slave) because he doesn't have a valid conviction (in los angeles). Therefore, he's been demanding all along and demands now that the case be removed from the state court because of continual, persistent violation of his constitutional rights. He knows there's little difference between state and federal but still the state has no right to proceed against him in any way.

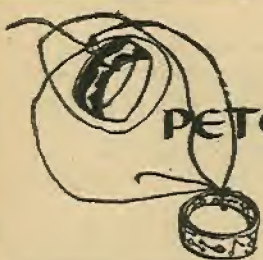
Afternoon. Attorney graves moves to have magee's statement transcribed and presented as a specific exhibit regarding his competency to act in his own defence (with perhaps a genuine lawyer to advise him). Judge lindsay agrees. He and graves also make immediate arrangements to get the full transcripts of the los angeles ten dollar kidnap case (which magee has been trying to get for years). This should earn them brownie points, and you or I would at once begin to cooperate--it takes almost nothing to get us to cooperate--but magee is too hard. 'You keep trying to help me,' he says, 'but you can't help me except by obeying the law!'

Angela and her attorneys, all five of them, look astounded as magee rolls on, citing an alabama case that relates to removal proceedings. There was a howard moore connected with that case. Moore, one of angela's attorneys, is sitting across the room and magee's eyes flick over. He's sure moore knows about the case, he says sardonically. The question arises whether removal-to-federal-court papers are actually on file. Graves jumps up to say he called federal court over lunchtime and there are indeed some documents in a judge's possession, not acted on. Everybody begins to quarrel about whether the papers are actually on file. Are they on file when they're received, or only after the appeal judge has decided the papers have substance? Magee sits with his head down, grinning, as they hassle about it.

But suddenly he wants to use his peremptory challenge (without cause) against judge lindsay. (The defense is entitled to one peremptory challenge.) Graves takes the papers from magee and carries them to the clerk of the court, saying he, graves, doesn't necessarily agree with magee's action. He's only physically delivering the papers to the clerk. 'What kind of a lawyer are you?' demands magee, his voice rising. The judge says he won't accept the challenge unless graves, as magee's lawyer, participates. Graves looks uncomfortable as he sees the absurd position he and the courts are momentarily in (absurd if they didn't have power of death over magee) as they do exactly what ruchell has been claiming all along. They yoke him with a lawyer over his protests, then the lawyer acts in collusion with the courts to deprive him of his rights.

Magee! No wonder angela's attorney's look at him strangely, no wonder his lawyers can't deal with him, no wonder the establishment press doesn't know how to portray him. Looking at him I can already see the weeds around his head. He's going to tell the people of nineveh how wicked they are, how he's been enslaved all these years, how all levels of government from nixon down to the lowest prison guard have collaborated in depriving him of his constitutional rights. And of course he's absolutely right.

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KENNETH REXROTH

Unlike the French, the Americans in Indochina have no Big Daddy Warbucks to turn to

The last few weeks have seen a deepening of each of the several crises of American society and their merging into a general crisis, which has been made apparent by the inability of American capitalism to sustain the value of the dollar.

The financial pages of the kept press have represented the latter as purely a monetary crisis, due to the cumbersome and outworn structure of international financing and monetary control, a sort of bookkeeping error, a key that stuck in the old comptometer.

It is nothing of the sort. It is the beginning of a massive vote of no confidence in the U.S. by world capitalism, including American. "A sudden flood of American dollars into Europe" means of course that American big investors themselves are anxious to trade their inflating dollars for hard marks and francs.

The financial crisis is a reflection of the military crisis. The invasions of Cambodia and Laos were not just tactical maneuvers, but overall strategic actions that failed, and that not only failed, but which resulted in the going over of hitherto neutral or pro-American territory to the other side.

Sihanouk was probably, with his own people, the most popular head of state in the world, and Cambodia was genuinely neutral. The C.I.A. arranged his overthrow and the country immediately revolted against their puppets.

Forces were hastily thrown in and succeeded in spreading "Communism." The neutral buffer against the left flank of the Americans has now become a few scattered, beleaguered redoubts with constantly interrupted communications held at tremendous expense. The action in Laos only served to demonstrate that Vietnamization was never going to work.

Meanwhile the morale of the American army has completely broken down, and its effective presence differs in no wise from

that of the South Vietnamese forces--that is, it depends on airborne, elite cadres, overwhelming material and pushbuttons. The attrition of field officers continues to mount. The Americans after all these years are back at Dienbienphu.

The rush for oil leases in the waters off the Indochinese peninsula has led to the old cry of "Economic Imperialism" by the followers of the out of date Lenin-Hobson thesis. As a matter of fact, the great oil companies are holding back from investment in offshore South Vietnam.

Who on earth would want to sign a contract with the Thieu-Ky government? Again, as a matter of fact, American capitalism no longer disposes of the resources to exploit Indochina. The whole Indian Ocean basin is being taken over by American capitalism's junior partner, Japan.

American business enterprise cannot even exploit the boom town economy of Saigon, admittedly only a petty bourgeois operation, but where are the American petty bourgeois? Scared to death and sitting tight on their money at home.

The frightful expense and the social demoralization of the long, drawn out, losing war are the primary sources of the other internal crisis of the country. The war against the feeble-minded, the poor, the sick, the young and against culture and civilization as such being waged so successfully by the proto-Fascist government of California is possible simply because the money that should go to health, education and welfare has gone for death and left a mountain of unpayable debt.

Of course it's a taxpayers' revolt, but the imbecile taxpayer is perfectly willing to shoot and gas his own children for demanding a free and civilized education and yet never attack, in any effective way, those who are really spending his exorbitant taxes, the famous military-industrial complex.

The polls show 75% of the people

now opposed to the war. The largest demonstrations in the history of the world fill the streets of Washington. Just as the President promised, they have no effect on him whatsoever.

All the propaganda devices--war crimes trials and people's peace treaties--serve only to keep protestors busy, keep sentimentalists upset and ground out effective action. The ineffectiveness of the massive objection to the war demonstrates conclusively the ineffectiveness of petitions to delegated authority. The only kind of action that authority pays any attention to is what old time radicals used to call "action at the point of production."

The point of production in the war is the Armed Forces. The wholesale breakdown in morale to the point of a universal, dry mutiny is the action that is taking place. The French got out of Indochina whenever their ex-Nazi mercenaries had become so mutinous that fighting was impossible. No officer's life was safe.

The American army is in very nearly that condition now, but unlike the French, the Americans have no Big Daddy Warbucks to turn the problem over to. Nixon has only two alternatives--to get out as fast as possible, or to wage a war of extermination with nuclear weapons, the bombing of the ports and the destruction of the Red River dykes.

If this happens, of course the Chinese will enter the war and then the alternative will be genocide or defeat. The only way the Chinese can be defeated is by wholesale nuclear destruction of their cities, but are there enough elite cadres who will agree to fly the planes and drop the bombs? What would happen if there weren't?

Nixon is on record advocating atomic warfare in Asia, and this record may be an additional factor in the flight from the dollar, now that he is left with so narrow an option.



JACK MORRISON

Alioto's indictment--will it bring out Diane, Jim, Ronald, Lew, Roger, Harold or Milton?

Five months before the November election, the uncertainty in San Francisco politics is more profound than usual.

Perhaps uneasiness is a better word to describe the prevailing mood. When people ask me what's going to happen in the election for Mayor and Supervisors, there is a certain sharpness in their attitude, as if they suspected someone were keeping a secret from them.

I don't think there are any secrets. Nor is there any sure way of arriving at judgments. If politics were really a science and prediction were easy, much of its power to fascinate would vanish.

A tip-off is that the fat cats are holding back. Candidates who, formally or informally, have declared their intentions are finding it hard to raise money.

This unsettled state of affairs, resulting largely from Mayor Alioto's indictment and the talk of his quitting the race, may go down to the September filing deadline.

That makes nervous Supervisors Ronald Pelosi and Robert Mendelsohn, who see themselves as mayoralty timber, but they're also up for election. Supervisors Roger Boas and Dianne Feinstein,

not up this year, also watch and wait.

Another dimension to our municipal malaise is the general sense of frustration and disequilibrium almost everyone feels about his government these days.

On that score there is not much ground for hope. So far as one can discover in the month of May the voters will not have to cope with any venturesome ideas this fall. The campaigns will fall into traditional patterns, making their peace with the existing distribution of power. The left-of-center insurgency that marked the recent Berkeley election has lit no fires on this side of the Bay.

Most casual political observers are quick to say there's no doubt the Mayor will run again. "He has to," is their common response. They mean that he cannot back down under fire, that surrender in the political field would only lend credence to the criminal charges.

It is my guess, too, that adversity has only toughened the Mayor's resolve. And there's no evidence so far of slippage in the hard nucleus of his support. Yet talk of a switch persists among those who operate in the political stratum of the town.

There's a war of nerves going on, of course, between the Mayor and his opponents. And there's also a good deal of healthy skepticism at work.

Many remember how former Mayor John Shelley was so unceremoniously thrust aside when a few of his financial backers decided he was a loser. Those few--the Democratic Old Guard, roughly the Bill Malone-Ben Swig axis--brought forward Joseph Alioto as the substitute candidate.

It would be curious if they found themselves this year trying to repeat their 1967 performance.

Undoubtedly, Mayor Alioto would be a much more difficult man to undo. He is more capable of navigating under his own steam.

The way the Democratic financiers will view the case is probably a function of two things--what develops in the criminal case between now and filing time and what sort of candidate the Republicans are able to come up with. The latter is probably the key variable, for it seems unlikely the Mayor will have an early trial.

If the time for switching arrived, the Democratic Old Guard

Continued on page 31



Women's Place by Julia Cheever

HELP WANTED, MEN
Acc't trnee, good opp'ty. to \$750

HELP WANTED, WOMEN
Post clk, lt. type, adder
nice personality. to \$400

—Chronicle Want Ads, May 13, 1971

The average annual income of working women in this country is only 58% of men's. Why? It's not only because women get paid less than men in the same job categories. It's also because women are channelled into low-paying dead-end jobs--as secretaries, nurses, waitresses, clerks and domestics--that are traditionally "female."

Newspapers like the Chronicle help perpetuate sex-stereotyping of jobs because they maintain separate listings for men and women in the Help Wanted ads--even though a state law passed in November declares this practice illegal.

In the Bay Area, the Chronicle, Examiner, Berkeley Gazette and San Mateo Times persist with sex-segregated or "sexegated" want ads. The Palo Alto Times and the San Jose Mercury changed to alphabetical listings recently; the Oakland Tribune changed more than two years ago.

About a year ago, when Brenda Brush of San Francisco tried to sue the San Francisco Newspaper Printing Company (Chron/Ex printers) for violating the federal civil rights act with sexegated want ads, she compared the average salary advertised for women to the average advertised for men. The result: a gap of 40%, almost exactly the same as the actual income gap.

"Segregating want ads is outright discrimination," says Sharon Rufener, head of the Job Discrimination Committee of the National Organization for Women. "It lends an aura of respect and inevitability to dividing jobs by gender--with the lower ones going to women." NOW organized demonstrations and legal action against the practice.



Want ads influence the job market through employment agencies as well as individuals. Robert Smith, president of the San Francisco/Oakland offices of Snelling and Snelling, the Bay Area's largest employment agency, reports that 67% of his calls come from want ads.

A major want ad advertiser, he reluctantly lists secretarial-clerical jobs under female and administrative-sales-technical jobs under male in the Chron/Ex because that's the "general usage" and he doesn't want to pay the cost of running each ad twice. "The monopolistic newspaper forces me to discriminate," he says.

(The Chron/Ex does have a small combined Men/Women column but Smith doesn't advertise there because "I don't think people ever use that." Celinda Lyon, a Chron/Ex ad saleswoman and a member of Human Rights Committee of the Newspaper Guild, says only one advertiser in 10 wants to offer a job to both men and women. But those advertisers will almost always "choose to run two separate ads rather than one in the combined men-women column" because they feel that column is "not widely read.")

Brenda Brush lost her suit in federal district court on grounds that the civil rights law doesn't apply to newspaper ads, but she is appealing it and says "we have an excellent chance of winning."

Meanwhile, the California legislature last fall added sex discrimination to the state Fair Employment Practices Act, producing a law that seems (to anybody but a publisher) to be clear as day in outlawing sexegated want ads.

The law declares it unlawful for an employer or employment agency "to print or circulate or cause to be printed or circulated any publication" that discriminates as to sex, and "for any person to aid, abet, incite, compel or coerce" such an act.

Two days after the law went into effect, FEP Commissioner Pier Gherini sent newspapers a polite letter requesting voluntary compliance. But the Chron/Ex and other papers persist in separate listings.

The FEPC now has five cases, all unpublished, filed against the Chron/Ex, the San Mateo Times and the Berkeley Gazette. If the Attorney General gives the go-ahead, the FEPC will take the unusual step of holding a public hearing and probably issuing a cease-and-desist order.

(To file a complaint, contact the FEPC enforcement office at 557-2005.)

Asked about the state anti-discrimination law, Harry McClaine, Chron/Ex want ad manager, said, "I don't think it applies." Why does he maintain the separate listings? "For the convenience of the readers" and because "advertisers ask for it."



A look at the Chronicle's list of reporters indicates the newspaper discriminates in its own hiring. Of more than 40 "city-side" reporters, only three are women. Two were hired only in the past two years.

The ratio at other newspapers is only slightly better: three women of 30 or so city reporters at the Oakland Tribune, five of 34 at the Examiner.

Two women's page reporters on the Chronicle, Beverly Koch and Ruthe Stein, regularly print articles that treat women and women's issues seriously. More typical of the Chronicle was its recent front page "Ten Most Powerful Men" publicity. Not only were there no women on the Ten Most Powerful List (probably an accurate reflection of women's lack of power), but the Chronicle bothered to include only two women among the 20 "jurors" who were to select the most powerful. One was Carol Doda.

The barriers to women in our society are more than outright job discrimination. The barriers are also sex stereotyping and psychological conditioning of the kind perpetrated by the media.

When the only women on the front page--whether women's liberationists, Martha Mitchells or topless dancers--are treated as jokes, and the message of even the comics on the back page is that a woman's worth is measured in terms of men, it's that much harder to question the deadening jobs in the "Help Wanted Women" column.



JAMES RIDGEWAY

Let's control population through nuclear pollution

WASHINGTON—For the past year, the energy combines have promoted a fuels shortage as a means of beating off environmentalists who threaten their control over the nation's energy policies.

The creation of energy results in water and air pollution, and the building struggle to realign the nation's energy policies promises to be one of the most important of the century. Already large oil companies have established a virtual corner on the fuels business, through their control of coal, gas and uranium.

The utilities have concentrated into electric monopolies for distribution. And now that most sinister body, the Atomic Energy Commission, is making motions to establish itself as the policy making body for all energy decisions in Washington.

For this reason alone it is important to read a relatively little-noticed book called "Population Control through Nuclear Pollution" by Arthur Tamplin and John W. Gofman (Nelson-Hall, 1970, \$6.95).

Tamplin and Gofman irritated the atomic establishment with their theories on radiation dangers, and mostly because their critique can't be set aside with derision: both are erudite scientists who worked within the atomic business at the Lawrence Radiation Laboratory in Livermore, California. The book is a devastating attack on the atom business.

GOFMAN-TAMPLIN demonstrated that, if everyone in the U.S. population were to receive the statutory allowable dose of radiation (0.17 rads per year) from birth to age 30, there would be an increase of 32,000 cases of cancer and leukemia a year.

Genetic effects from radiation would be more severe: exposure to present allowable levels could mean a 5 to 50 percent increase in cancer and leukemia producing from 150,000 to 1.5 million additional deaths a year in a future population of 300 million; there would be sharp increases in the instance of crippling diseases such as diabetes, arthritis and schizophrenia.

But the AEC opposes reducing allowable doses of radiation. Dr. Teller, chief enthusiast for "peaceful" nuclear development, writes, "The present guidelines for 'Permissible Doses' should not be lowered for the following reasons:

"1. On the basis of common sense the present guidelines are safe. The main reason for this statement is that the guideline coincided with the average exposure due to causes other than atomic energy developments. This exposure has existed for a long time and furnished a strong link with experience.

"It is generally recognized that the danger to an individual is small if 0.17 rem/year is added to the existing average of 0.17 rem/year. The fact that the chance of damage is so small makes it most difficult to find and prove damage at these low levels of irradiation."

GOFMAN-TAMPLIN reply, "These statements of Professor Teller must be regarded as a classic of our times. Let us explore his statement that the danger to the individual is small if he received 0.17 rem/year additional radiation.

If everyone in the U.S. received this dose, there would in time be 32,000 extra cancer and leukemia deaths per year. For our country this represents an unparalleled public health disaster.

Of course, since there are 200 million people in the country, this means one of every 6,000 people per year is an additional potential radiation cancer victim. If you choose to look at a major public health disaster as 'small danger to

the individual' simply because one extra person in 6,000 dies per year, then Dr. Teller is technically correct.

But this simply means he doesn't appreciate that major diseases kill one in 1,000 or one in 10,000 per year, and medical research and treatment go to great efforts to prevent occurrences of this frequency."

With his general contempt for life in mind, Teller has got the government to back the plowshare program aimed at expanding the peaceful uses of nuclear power.

Thus, the AEC joined with oil companies in setting off underground nuclear explosions which freed large supplies of much needed natural gas. Unfortunately, the natural gas recovered so far is radioactive. Faced with this problem, the AEC promised to dilute the radioactive gas with non-radioactive gas until the radiation levels are brought down to statutory limits, which as Gofman-Tamplin demonstrated are meaningless and dangerous.

IN ALL this, the AEC scientists adhere to their own peculiar benefit-risk formula, and attempt to balance the numbers of people who will die from radiation against the atomic benefits derived from the use of nuclear devices. The benefit-risk formula becomes the major rationale behind developing the industry.

In 1967, it became apparent that 500 or so uranium miners in Colorado would die from radiation. As everyone knew at the time this need not have occurred had the government insisted on making the mine operators cleanse the air in the uranium mines. But that would have cost the mining companies money, reducing profits.

At the time, uranium was the key to the growing nuclear power industry, which depended for survival on its ability to demonstrate that uranium was economically more feasible than coal, oil or gas in the manufacture of electricity.

The more costly the uranium fuel, the less attractive nuclear fuel would compare with fossil fuel. And that, of course, would have been a tragedy for the AEC and the Joint Committee on Atomic Energy, spoiling their plans for the new industry.

Instead of insisting the air in the mines be cleansed, the committee and commission opposed the idea, and held hearings instead. Finally, when Willard Wirtz, then secretary of Labor, ordered a reduction in radiation levels in uranium mines, he was harshly attacked by Rep. Chet Holifield (D-Montebello), chairman of the joint committee, on grounds that Wirtz was a "layman," who based his decision on "emotional" beliefs not "scientific" facts.

When uranium is extracted from its ores, millions of tons of so-called uranium tailings are left over. Everyone in the industry knows that the radium present in uranium ores is left behind in the tailings, yet for the sake of administrative convenience, the AEC decided it had no responsibility for the tailings.

Hence, they were bought cheap by builders for land fill. Several thousand houses were built on the fill in Grand Junction, Colorado, and these houses became death-traps.

GOFMAN-TAMPLIN write, "Radon gas escapes from such tailings into the homes built upon them, and then the inhabitants breathe the radon gas plus its deadly radon-daughters. And the women and children don't spend just the eight hours per day in their homes that the uranium miners do in the mines.

"They may spend 16-24 hours per day breathing the lung cancer producing radon-daughters. Indeed, it is entirely possible that for a uranium miner and his fam-

ily living in one of these homes constructed upon uranium mine tailings, the miner may be the safest member of the family. His family may get more radon-daughter exposure in the home than he does in the mine."

The AEC's response was to conduct a long, leisurely study. Some houses have such a high level of radiation that they have been condemned for future human habitation.

"Why is the identification of which homes represent a mortal hazard proceeding so slowly?" Gofman-Tamplin ask.

"In part because of a human frailty. Many people have their life savings invested in homes built upon uranium mine tailings. If they admit to owning such a home, the possibility exists, they feel, that their property value will plummet, and their life savings will be gone.

"So they hope to keep silent about the fill underneath their homes, hoping to sell them before it is discovered that they have a radon-daughter hazard."

Still banned by the Press Club

"Many a local journalist is convinced that the Guardian provides the most penetrating reportage in the Bay Area," Bill Rivers and Dave Rubin reported in this recent critique of Bay Area newspapers (A Region's Press: Anatomy of Newspapers in The San Francisco Bay Area, U.C., Berkeley, April 1971). "There is some evidence, in fact, that it has penetrated too deeply. From 1967 through 1969, Brugmann's paper won four of the nine awards open to it in the San Francisco Press Club's 'Pulitzer of the West' competition. In 1970, a Press Club committee decided that the only competitive category available to the Guardian, that for nondailies, would be open only to weeklies, thus excluding the Guardian, which is published monthly or less often. Investigating the action, Brugmann reported that the committee was headed by a public relations representative of the Pacific Gas and Electric Company, and was made up almost exclusively of advertising and public relations men.

"Nearly all of them worked for companies that had suffered from Guardian exposes. This shabby incident caused two respected professors to resign from the panel of Press Club judges: Kenneth Stewart, Professor of Journalism, Emeritus, at the University of California, Berkeley, and Jerrold Werthimer, Professor of Journalism at San Francisco State College."

This year, the Press Club made its ban of the Guardian official for the second straight year by ruling that only legally adjudicated newspapers (dailies and weeklies) could enter the 1971 Pulitzer of the West contest.

The difference: last year the ban was engineered by PG&E's top public relations man, Larry McDonnell, who headed an awards committee composed of PR representatives from PT&T, Bochtel, Crown Zellerbach, General Electric, Westinghouse and Editor & Publisher. This year, McDonnell was still on the committee, but the ban the Guardian inove was certified by newsmen from the Examiner (Rene Casenave, Ed Montgomery, Josh Eppinger), the Chronicle (Charles Raudebaugh) and the Oakland Tribune (Steve Still).

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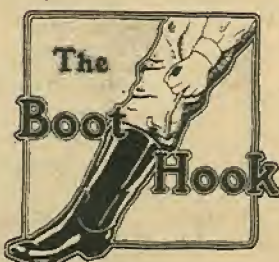
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PASHA PILLOWS
AND GIFTS

III Anarchy

There is property I keep under lock and key
AM-FM radio alarm clock
electric food blender
the TV, my drums

It is also the room
where my woman and I lie sleeping these days, on
two mattresses on the floor-wall hangings,
radiator faintly clanking every morning and evening,
peeling plaster

red rose, lavender-yellow, white,
skin pink, each petal a different
tone, each flower a different
odor

Smile on my desk, Huey,
your body safe inside prison now
while the real killing has begun outside,
and the real policeman stands
by the real police car, in his black-
gloved hands he holds my drivers license,
the auto's registration certificate,

the other policeman is
banging his fist on the side of a volkswagen bus
parked overnight here on twin peaks,
and in a moment a young man stumbles out
into the early morning sunlight
rubbing his eyes, tucking in his shirttails--
the radio in the police car
crackles and a staticky voice says
CLEAVER and gives an address
somewhere in the city, other bursts
of the voice, code numbers, names,
addresses. . .

The Sun reflects off the frame of the police car,
shines through the blonde grass on the edge of the hill,
wind blowing off the pacific,
scouring the brown air out of the eucalyptus trees
in the parks, I am smiling--

The policeman has white hair,
a smooth pink face, closely shaved,
under a dark blue police hat. he
leans on the open door of his car,
looks around, wrinkles his face
in the sunlight, he glances at me

catching me in the middle of my smile--
his eyes glide down,
he appears to me
to chuckle to himself,
shake his head as though coming out
of hypnosis, smiling at the ground,
shaking his head, laughing to himself,
not meeting my eye,

I wonder why we go on pretending

one actor
smiles at the wrong time,
the others all look at him
as if he is wierd, then
they go on with the play--

my eyes swing up, and away and I lose his dimensions
in the blue sky

Standing on a rise now, waiting.
Rows of pastel-colored houses on the lower slopes.
All the same distance back from the streets.
Hard-packed dirt at my feet,
shattered glass reflecting
Suns. The people
in the volkswagen bus have been found by the radio
to be satisfactory. I have been found satisfactory.

With a faint
smile, the white-haired policeman
walks up to me, white teeth,
blue eyes, brightly he announces
"You're all clear!" friendly
voice. I nod

but have nothing to say to
him as I receive my identity papers out of his
gloved fingers

By Wilbur Wood

(from "Four for Huey")

Thirty-five and in power—

a tear comes to my eye

By Jess Brownell

WHAT CAN I say? You all
know the facts. They were right
there in black and white, not to
mention the four-color cover. A
genuine, certified new age of ro-
manticism was upon us.

I knew it as well as anyone.
And yet, to my shame, the fact of
the matter is that I was feeling,
if anything, even less romantic
than I had been. . .oh, say, six
months earlier, before the whole
thing started.

It's not that I didn't want to
be in on it. Anybody who's ever
seen me with my belly rolling
over the waistband of my skin-
tight flares, or watched me try-
ing to snuff up the last marijuana
fumes from the blazing match
without choking, will under-
stand that in my lust to be au-
courant I'm willing to take what-
ever medicine they're handing
out.

And it's not that I wasn't mak-
ing an effort. I quickly read
"Love Story," for example, but
while I was pleased to see that the
author of that great boyhood
favorite of mine, "Herb Kent at
West Point" was back in action
(the general decline in the quality
of his prose could of course be
attributed to advanced age), I was
otherwise unmoved.

Why, I asked myself. Why was
I not privileged to share in this
surge of pure and generous feeling
within the collective heart of the
nation? Why were my eyes clear
and my nose dry? Why did not
my extremities tingle? Why, in
short, was I left out?

Well, this relentless self-inter-
rogation elicited no more response
than you might get if you asked
Mel Laird a question about south-
east Asia, so the other night I
sought out my friend, Winton the
philosopher, who has an answer
for everything.

"WINTON," I asked, "why
is it that my heart does not share
in surge of pure and generous
emotion which now. . ."

"Yeah, I know, I know," he
interrupted. "Mine don't
either."

"It doesn't? You know, I sup-
pose I shouldn't say this, but I'm
glad to hear I'm not the only one.
What's your explanation?"

"My wife is alive, for one
thing."

"Shut up. Besides, lots of
wives are alive."

"In whose mind?"

"Don't get philosophical with
me."

"Sorry. It's not important. The
real reason's deeper."

"I knew it. What is it?"

Winton adopted the Socratic
method. "First I'll ask you a
question. How old are you?"

I looked around, swallowed,
then whispered, "Thirty-five."

"Aha. Thirty-five." Winton's
voice resounded through the
room, and he waved off my ef-
forts to shush him. "Thirty-five.
Just as I expected. There's your
answer."

"Thirty-five's not old," I said
automatically. "And what does
that have to do with anything?"

"Allow me to explain," said
Winton. "Take 'Love Story.' Look
at the people who dig it. First,
you got the kids. They like it be-
cause basically they like anything
that demonstrates that they're
smart and beautiful and old people
are dumb and ugly."

"THEN, YOU got the old
people. They like it because
they like anything, no matter
how bad it makes them look, that
shows that kids today are just as
sweet and innocent as they were
when they were kids. Now, where
do you fit in?"

"I'm in-between, I guess."

"Exactly. You're at the in-
between age."

"That's it, huh?"

"Well, it's a little more com-
plicated."

"I knew it."

"Because not only are you at
the in-between age, which obvi-
ously you could outgrow, but you
are also a member of the in-be-
tween generation, and you will
never escape that."

"The in-between genera-
tion?"

"That's right. Think it over.

You were born between the first
two wars of the century, right?
And you came of age between our
two Asian adventures. You were
too young for the post-war boom
and too old for the youth
revolution."

"When you reached puberty,
people had stopped believing in
the old morality but hadn't in-
vented the new one. As soon as
you found a hero, he disappeared
before your eyes. Kennedy was
your president, and somebody
shot him. Salinger was your writ-
er, and he vanished into mysti-
cism. James Dean killed himself
in one of those idiot cars your
friends were always dreaming a-

bout, and Kerouac had a
coronary, for Christ's sake.

"AND YOU? You got to
be 35 without ever knowing
where you stood."

It was all true. "I guess there's
no hope, is there? We're just
doomed to be alienated forever."

Winton shrugged. "You can
look at it that way if you want
to. Personally--and I happen to be
36, myself--I prefer to consider
the advantages."

"The advantages?"

"Sure. We're in a perfect posi-
tion to take over. Nobody knows
we're here. The old and the
young fight each other, and pay no
attention at all to us. Pretty soon
the old will start to die off, and
the young, having prepared them-
selves to do nothing except fight
the old, will be helpless. And then,
my friend, the in-between
generation is going to take over
by default. Then we are going to be
in power."

In power. Despite myself the
words held a thrill. In power. It
would happen. Winton said so, and
he knew. I thought of what it
could mean, of what I could do,
of what could be mine--and of
course of the vast potentiality for
good as well.

I thought of all that, and by
God, it brought a tear to my eye.



San Francisco's restaurants

Continued from page 8

I could not ascertain whether
this was the true reason for the
city's failure to inspect the pres-
tigious restaurants, but I felt I
now had a better insight into why
I had been denied permission to
inspect them.

The basic reason for inspection
of kitchens, of course, is to pro-
tect the public from hazards such
as food poisoning, which could
be caused by violations like
the ones I saw in so many kitch-
ens. In searching through the
files, I came across several recent
cases of food poisoning.

In the worst of these, at Senor
Pico's on Ghirardelli Square, 80
customers contracted food poison-
ing because an employee with an
infectious disease had contaminat-
ed the food.

When such cases came to light,
an inspector said, the Health De-
partment made sure all violations
involved in the poisoning were
subsequently corrected.

I was prevented from learning
more about individual cases, how-
ever, by a city attorney's ruling
that barred me from seeing the
records of restaurants with food
poisoning cases. Grounds for this
decision: a California law spec-
ifying that information which
names complainants in food poi-
soning cases is confidential.

FROM WHAT I was per-
mitted to see in the files and on
the tour of kitchens, I concluded
that sanitary conditions in San
Francisco are not at all what
Jack Coyne had implied they
were. But the problems can't be
attributed to the city's 40 in-
spectors, who face enormous
difficulties in doing their jobs.

Here are some of the difficul-
ties I noted on my tour:

1) Overwhelming number of
violations. After leaving a kit-
chen crawling with cockroaches
and possessing several other
flagrant violations, an inspector
said: "I only mentioned a few
of the things that were wrong.
If I listed them all, I know the
owner would just get discour-
aged and not do any of them."
While such an approach may
seem lax, a stricter one would
entail closing down a large num-
ber of city restaurants.

2) Language difficulties.
Approximately half of the
city's inspectors are bi-lingual,
but even so the polyglot nature

of the restaurant business
(French, Russian, Greek, Viet-
namese, Chinese--the list could
go on indefinitely) leads to fre-
quent incidents of total failure
to communicate. Owners
sometimes take advantage of
this situation. "Their under-
standing of English seems to
diminish rapidly when I ask
them to do something they
don't want to do," one inspec-
tor said.

3) High turnover in borderline
operations. Like all business sec-
tors, the restaurant business has
been hard-hit by recent economic
"slowdown." This means that
many owners lack the money to
correct violations. It also means
that, even when inspectors take a
"gradual" approach, they must
often start all over again with the
new owner.

4) Attempted bribery. When
an owner persistently refuses to
follow inspectors' recommenda-
tions, the Health Department
closes the restaurant. Some own-
ers try to avoid this by offering
bribes to inspectors who might
well find the offers tempting con-
sidering their low salaries (\$9,000-
\$11,000). Three inspectors have
recently left the department
"voluntarily" after admitting to
accepting bribes.

THE GREATEST difficulty
faced by inspectors, however, is
the volume of work they are asked
to do. They must inspect 3,000
restaurants, wholesale and retail
food distributors, public vendors,
swimming pools, school cafeter-
ias and grocery stores. In addi-
tion, they must follow up on com-
plaints, check back on citations
they have issued, and investigate
work injury reports and complaints
about hotels and apartments.

A State report issued last year
agreed that the Health Department
needed more inspectors to handle
this huge load--a minimum of 11
more. But no funds for new in-
spectors could be found, and so
the situation gradually worsens as
inspectors fall behind on their jobs.

On my first day at the Health
Department, Jack Coyne had told
me his goal was to "elevate" san-
itary conditions in San Francisco.

Though, like Coyne, I am still
not "afraid" to eat in San Fran-
cisco restaurants, there are a good
many, hundreds probably, where
immediate "elevation" is in order.



GREATER BAY AREA — MEDIA LEAGUE

UPPER division		downer DIVISON	
Little Princess 109	3-0	Rimband & Stingrays	2-1
Fillmore West	2-1	Coyotes	1-2
Its a Beautiful Day	1-2	KQED	1-2
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PAID ADVERTISEMENT

My friend Donovan showed me a small clay figure, a pot-bellied, smiling boy, head tilted, hand cupped behind one ear. Radio boy. Given him by a friend, Annette Rosenshine, a 91-year-old sculptress living in Berkeley, who was a friend of Gertrude Stein in Paris in '07.

I was fascinated immediately, and about a week later Donovan and I went to visit her at the Brightside Nursing Home in Berkeley.

"Miss Rosenshine expecting you?" the nurse said sternly. I said yes, and she led me to a small studio cottage in the rear, where Miss Rosenshine sat in an armchair, a blanket over her knees, in front of a huge television set.

"Turn that damn thing off," she said, taking her glasses off, placing them on a TV tray. Her clear, blue-grey eyes dominate her thin face. Her hands are strong, her fingers slender and well-shaped. She speaks slowly, answering my questions.

"I had gone to Paris with the idea of doing art work of some sort. I never got started. I met Gertrude Stein there. Old Gertrude," she gestured towards the framed print of Picasso's famous portrait of Stein on the wall behind her. "The day she took me in hand, she said to me, 'No memory, no consciousness,' I grabbed on to the word consciousness and it became my pursuit over a lifetime.

"Until I went to Paris and saw Gertrude there was a cloud hanging over me." (She went to Paris in 1907.) Miss Stein was then the patroness of Matisse and Picasso, and through her, Annette met both men.

She studied in Matisse's first atelier for several months, one of a handful of students. "All those amorous women hanging around Matisse," she recalled, amused. "He was different from Picasso, more the Frenchman. He wanted to do a drawing of me before I

left Paris, but that never happened. I wish it had."

"We lived near where the Steins lived, so it was easy to get to see Gertrude. We took so many pleasant walks together—" Annette left Paris the next year, discouraged with her painting; she felt her "inner being was not involved." She returned to San Francisco, where she did social service work with children. She also developed an interest in psychoanalysis at a time when few psychiatrists or physicians took Freud's work seriously.

"I pioneered in psychoanalysis before it was hardly known. I went to an analyst in Baltimore for several years. I knew at the end of the time that he had done nothing for my health. I wrote a letter to Jung asking if he would accept me and he did. I went to Zurich and there he passed me over to his disciple, a man named Godwin Baynes.

"I tried to present in forms to him what I couldn't describe. I was presenting these pieces [her first sculptures] getting a release through the doing of them, that he couldn't give me."

There are photographs of these early pieces in the Bancroft Library in Berkeley. One stays in the mind especially, a nude girl, clinging to the neck of a horse, as though struggling against falling.

Leaving Zurich, Annette practiced psychoanalysis in San Francisco until 1922. Returning to Paris, the most fertile period of her sculpting followed. Her work is in several genres—portrait busts, tiny "grotesques" in the round, masks. None are more than 12

inches in height, some as small as one inch.

"HAVE YOU seen the Prince?"

She indicated a photograph of a man with a gentle, tranquil expression on his face.

"Nothing was more amazing than the way I did him," she said. "He was the son of the deposed king of Dahomey, Prince Kojou Touvalou-Houenou, living in a small pension in Paris. I felt I couldn't ask him up to a hall bedroom, so we went to a little tea room near where we were living and there we sat and talked for about two or three hours. And I did that (she nodded at him, on the wall) from memory."

"And when he said to me, 'You've done a portrait of my soul,' I was enchanted. I nearly flopped over."

We both sat looking at the picture. "People all feel a depth in it. He was extraordinary, he really was a very cultivated man. He wanted to return to his people but the French took over and so it was lost to the Dahomians."

She pointed to another photo on the wall, a grotesque, amphibious looking man-beast, nearly a gargoyle. "He looks like a foetus," I said, "Or something not quite evolved." "A terrible man," she said, "who was turned in on himself."

"In most of the caricatures, I expressed the subject's unconscious. It was from my unconscious of course, only more developed."

She did busts of many well-known figures of the '20's, such as Heywood Brown, Paul Robeson, Rebecca West, her childhood friend Alice B. Toklas, and H.L. Mencken.

"I affect people's work very much," she mused. "A colonel in the army saw the work and was revolted, but when he went to work again, his own work changed. One girl came to see my work and when she saw a few things, she ran down the stairs. She was horrified."

"PEOPLE SEEM to feel that they were done in anger and pain." She looked up, thought-



Photo by Neil Morse

fully. "That's interesting. I've never said that before."

She worked in clay, and plaster, cast bronze, and terracotta.

Altogether, she has done more than 90 pieces, most of which she donated to the Neuropsychiatric Institute in Los Angeles. The University Art Museum in Berkeley is planning an exhibit of her work here.

We talked until late in the afternoon, mostly about her "wandering" in Europe, and Miss Rosenshine invited me to come back to her 91st birthday party, the next day.

The following afternoon, carrying a cobalt blue cineraria plant, I arrived to find Miss Rosenshine in her chair with several of the Brightside residents in a semicircle facing her, having ice cream and cake.

"My dear, how delightful!" she greeted me. Her small writing table was covered with a white linen cloth, two vases of flowers and her birthday cake on it. It had ten candles, one for each decade and one to grow on. A friend had brought chilled Cold Duck. "Isn't that what you like?" he said, and we sat sipping it from champagne glasses. He took pictures of Annette, posing, toasting her glass, circling her finger in the air.

We stayed a little longer, but not too long; Miss Rosenshine's brother, ten years younger than she, was flying from New York that evening to celebrate her birthday with her and she wanted a rest.

Her feelings on her birthday? "Terrible," she said. "Too much."

By Rena Zheutlin

Highrises and taxes

Continued from page 6

business community. In 1968, the city came around to imposing a business license (gross receipts) tax. The rate was so small, however, that it raised only \$5 million, a paltry 1.2% of city revenue in that year. Without the gross receipts tax, every homeowner would have paid a mere 25 cents more per \$100 assessed valuation.

Evidently, the concern is that a larger business tax would deter new firms from locating in San Francisco. This fear, however, is not the only protection businesses have against shifting of the tax burden to them.

The State Constitution prevents the City from levying any non-property taxes on banks and insurance and finance companies, which represent 21 of the 44 skyscrapers already built or projected through 1972. While the State levies taxes on these institutions, it does not return any funds to the city directly related to the institutions.

The picture is startling. On the one hand, citizens are told that because highrises add significantly to the tax base, they must put up with their negative effects. On the other it is clear highrise areas do not even pay their share of the city's total revenue.

Revenue analysis alone shows that the city gets merely a fraction of the revenues high-

rise areas are capable of providing. What's more, while the figure for property taxes paid by highrises may add up to an impressive sum, the proportion of taxes in relation to income is far less than the ratio for the poorer average citizen.

A business can write off or pass on to the consumer much of the property tax it pays, but a pensioner homeowner, living on under \$4,000, may pay close to 10% of his income in property taxes alone.

As Bartalini puts it, "Big Business pays taxes out of profits, homeowners out of their pockets."

THESE FACTS refer only to city revenues. On the other side of the ledger, the amount highrises cost the City may be considerably more than is commonly supposed. Roger Stafford Smith points out that in the case of five cities (San Leandro, Ca., Arlington, Va., West Hartford, Conn., New Rochelle, N.Y., and Yorktown, N.Y.) the cost of police, fire, public works and sewage for an acre of commercial land runs 5.5 times higher than for a residential acre. No such studies have yet been undertaken in San Francisco.

However, there is one glaring example of preferential tax treatment for big business in San Francisco. The property tax owner finds himself saddled with repayment for bonds

floated for BART. BART's rate now is about \$.51 per \$100 assessed valuation with varying amounts to be paid up to 1999.

For the owner of a \$28,000 Richmond house, this represents nearly \$40 per year (as opposed to what might have been \$20 before AB 80). Obviously, BART will be of little use to him—it does not even extend to the Richmond. Rather, it will raise the values for downtown properties which stand to gain the most.

It will funnel thousands of non-taxpaying commuters downtown to man the business and thousands of shoppers to fill the stores. They will use sewage, transportation, police and fire services, the cost of which will find its way back to SF property taxes and BART-less owner of the Richmond house.

Tinney has referred with pride to a recent study showing San Francisco ranking well below several equivalent-sized cities in terms of property taxes. Yet, he cautioned, something must be done if San Francisco is to retain this low ranking.

Many property owners agree with Tinney and the stirrings of a major taxpayers' revolt are at hand. Several tax-weary groups are now in action in an effort to preserve their way of life.

Four Legions in the Taxpayers' Revolt

1) The Tax Boycott is an effort by the Homeowner's Tax Control and Marina Homeowner's Councils to persuade homeowners to withhold property taxes. It requires only the individual act of each homeowner in failing to pay his taxes. A leader of the movement, Col. Martin Fellhauer, estimates that in December, 1970, at the time of the first property tax installment of the year, \$2 million was withheld.

The aim of the boycott is to force reform and roll back the tax rate. The main problem, according to Fellhauer, is fear by the homeowner that the State or City will confiscate his property. Fellhauer points out that, according to law, the homeowner has five years to pay overdue taxes along with a 6% penalty per year. The money, meanwhile, can draw 5% in a savings institution.

2) The Bartalini Proposal appears on many petitions circulating throughout the City. 46,000 signatures are required to force a vote on the proposition to roll back the property tax rate from the current \$12.82/\$100 to \$8.80/\$100 assessed valuation. Should government officials feel additional taxes are necessary, a rate increase would have to be approved by the voters, who would thus gain control over wasteful City expenditures. Call 285-4872.

3) Taxpayers' Revolt, United Endeavor (TRUE), led by Mrs. Vi Gotelli, is circulating a charter amendment petition to limit property taxes collected by all taxing agencies to a combined total of \$8.00/\$100 valuation. Call 285-9838.

4) The (Duskin) Anti-High-Rise Initiative will have a dramatic effect in adjusting the City's property tax burdens.

Assessor Tinney recently estimated it would result in a \$30 million decrease in the downtown area's contribution to the property tax base. He points to the State Tax Code statute requiring him to take into account, in figuring assessments, the value of any building restrictions. The 72-foot limit would, therefore, cut the value of land and decrease the value of assessments, particularly in the downtown area.

Duskin, on the other hand, contends high-rises cost the City money. The net effect of Duskin's proposal on property taxes will rest on the truth of his untested assumption that high-rises cost the City money. At any rate, it hits at those interests which, as discussed in the above article, have failed to do their share in running the City. The proposal, if enacted, may withhold permission to build skyscrapers unless voters find they contribute adequately to running the City.

A more direct approach, should Duskin's proposal fail, would shift the tax burden back to big business via a skyscraper-earthquake-ecology tax. Such a tax on buildings over 72 feet could lead to a decrease in residential taxes and would have the effect of making business interests pay a price for profiteering from and worsening our City's environment.



Gourmets are rediscovering the delights of participatory cooking and communal eating through the latest Bay Area mania, the cooking school. Cooking facilities range from the home kitchen (to the chagrin of local zoning officials and health inspectors) to the incredibly beautiful Kikkoman Cooking Center, in the Japanese Trade Center, which provides everything down to the aprons. Class fees vary widely, depending on the subsidy and affluence of the clientele.

French and Continental

Jack Lirio Cooking School 747 Monterey Blvd., S.F. (587-8908) (a) Demonstration Course Tue, Wed 10-12 Tue, Wed, Th 7:30-9:30 \$36/6 classes. True to Le Cordon Bleu in Paris, Mr. Lirio demonstrates a three course classic French meal per lesson, with emphasis on basic culinary techniques. (b) Practical Course Fri, Sat 9:30-1:30 Mon 6-10 PM (Mainly for Men) \$120/6 classes. Mr. Lirio, his assistant and a limit of six students prepare a complete menu in each four hour session.

L'Ecole Culinaire 517 Pacific St., S.F. (781-0383) (a) French Cooking Sat 11AM \$85/10 classes. A demonstration class by chef Paul Quiaud of Ernie's. (b) French Cuisine Th 5:30 \$30/5 classes. Paul Mayer, long-time cooking teacher and pupil of Dione Lucas, demonstrates recipe cooking, a complete meal per lesson. (c) Men Only Tues 6PM \$100/10 classes. Thom Cara teaches a beginners participation class on the basic principles of cooking, both French and Northern Italian (e.g. cannelloni and Vitello Tonnato).

Janis Wicks 27 Edgemont Circle, Walnut Creek (935-2861) Wed 10AM, Th 10AM, 7PM \$25/5 classes. Mrs. Wicks demonstrates such typical French menus as Canard a l'Orange, Riz etupee au beurre and Petits Pots de Creme Vanille.

Jeanne Allen 4401-20th St., S.F. (282-8454) Tu, Th 10AM-1PM \$30/6 classes. Seafood, eggs and cheese, vegetables and local California wines are explored with a maximum of six students and Jeanne Allen, a former pupil of Julia Child.

Mary Gulli 2541 Vallejo St., S.F. (346-2149) 10AM-1PM, \$150/10 classes. Mrs. Gulli uses her own recipes, which she has perfected in eighteen years of cooking classes. One morning recently her class made cold cucumber soup, stuffed crepes in oyster sauce and a lemon souffle.

Calif. St. Cooking School 2877 Calif. St., S.F. (567-4021) \$60/8 classes plus \$10-\$15 food charge. Joyce Goldstein's current French and Continental classes are already full and she plans a summer recess to tape a series for KQED as San Francisco's radical chic answer to Julia Child. She's planning a Preserves class for summer and Italian cooking (with the aid of a North Beach pasta maker) for fall.

Emalee Chapman 329 Lombard St., S.F. (989-0158) Another Cordon Bleu graduate, Emalee Chapman, teaches in a Chinatown loft and limits her classes to five students. (a) Basic Series Wed 10-12 \$100/8 classes. Each class takes a basic food group, such as fish, and explores a variety of techniques for its preparation (poaching, quenelles, etc). A special beginner's class for "School Girls" is offered in the afternoons or Sat. morning (\$36/6 classes). (b) Advanced Series (to be arranged) \$100/8 classes. Wine-tasting is included with every meal, with specialties such as Burgundy Beef Fondue and Stuffed Flank Steak. A men's evening class is also taught, at \$100 for 6 classes.

Natural Foods

Free University of Berkeley 2200 Parker St. (841-6794) (no charge except for materials) (a) Soy Bean and Vegetarian Cooking Fri. 4PM Ron Brown (845-9017) teaches such creations as soy bean lasagne through the Free Particle Seminar. (b) Salad Making Wed. 6PM Carl Malbraine (843-1476).

YWCA 2600 Bancroft Way, Berkeley (848-6398) Juanita Papillon's natural foods class last quarter was a huge success and should resume in summer or fall. Classes included do-it-yourself cottage cheese (as well as yogurt and bean sprouts), organic gardening in containers, herb gardening, a visit with an Orinda home wine-maker, wok cookery (from a nutritional point of view), bread baking, cheese varieties and guest lectures on vitamins and preservatives. Future plans are for an Afro-American cooking class.

Jewish Community Center 3200 Calif. St., S.F. (346-6040) Organic Cooking 7:30-9:30PM \$8/6 lessons (members), \$16 (non-members) Ann Kapit emphasizes an understanding of food and the reactions it produces in the body. Raw food dishes, such as yogurt pies and sprouted wheat balls, are her specialties as well as hints on organic food shopping. (Ann also teaches at the Calif. St. Cooking School, Th 7:30-9:30)

George Ohsawa Macrobiotic Foundation 1471-10th St., S.F. (564-8654) Macrobiotic Cooking 5:30PM \$2.75/class (Including dinner) Cornelia Arhara's class is limited to 20.

Orpheus 751 Irving St., S.F. (665-2423) \$15/9 classes plus food cost (a) Food from Other Lands Wed 7PM. Fish chicken and vegetables only. (b) Vegetarian-Macrobiotic Sat 12, Mon 6 (c) Basic Cookery for Gourmets Th 6:30PM. The principles of sauces, gravies and the like (d) Vegetarian Cooking from Other Lands Tue 2PM Italian, Russian and French.

Heliotrope El Paseo, Mill Valley (363-4371) John in Sari Rafael (461-5071) teaches organic cooking.

Oriental

Kikkoman Cooking Center (Japanese Cultural and Trade Center) 1581 Webster St., S.F. (563-8700) \$17/5 classes (a) Beginning Japanese Cookery Wed 10AM-noon (b) Japanese Cookery Th 10AM-12:30. Yuri Inue speaks only Japanese (mimeo recipes in English are provided) and teaches the traditional Japanese cooking.

Co-op 1295 South Main, Walnut Creek Cantonese Cooking 9:30PM \$20/6 classes Rhoda Yee (939-9139) presents an entire family-style dinner (three dishes plus rice) per lesson, to teach handling more than one dish at a time.

Co-op 1550 Shattuck, Berkeley Cantonese Cooking Tues 7PM \$20/6 classes, \$4/ single. Jennie Low (232-4677) teaches two dishes per evening, all "home cooking-style": Spare Ribs with Black Bean Sauce, Shrimp Balls, Sizzling Soup, and Winter Melon Soup. (A Wed 10AM series begins soon at the University Ave. Co-op, 1414 Univ. Ave., Berkeley, \$14/4 classes, \$4/single). Amy Pange (526-2615) has recently taught Cantonese cooking classes at the Telegraph Co-op, 3000 Telegraph, Berkeley.

Korean Inn 1329 Gilman, Berkeley (524-7732) \$17/4 classes Master chef Jung-Suck Choy plans to resume her famous Korean cooking classes in the near future.

Chinatown YWCA 915 Clay St., S.F. (982-3922) \$17.50/7 classes plus \$7 lab fee (a) Cantonese Gourmet Cooking Th 1PM

Mid-Peninsula YWCA 4161 Alma, Palo Alto (327-0972) \$12/6 classes, \$8/4 classes (a) Chinese Cooking 1 Tues AM, Wed PM (b) Chinese Cooking 11 begins 5/25 (c) Japanese Cooking Th AM

Caribbean

Western Addition YWCA 1830 Sutter St., S.F. (921-3814) \$15/8 classes (\$5 for members) plus \$1 lab fee.

Afro-West Indian Cooking Mon 6PM Constance Williams is the chef-owner of Connie's restaurant on Fillmore St. and teaches her Caribbean specialties with class participation.



A visit to the Gazebo

By Susan Chickering

You can't see it from the street, but make your way to 2310 Polk between Green and Vallejo, walk into The Potting Shed, a small flower shop, and there, nestled among the flowers, you'll find the Gazebo Cafe, which reminds me of a Victorian conservatory.

Wherever you sit in this hidden garden, your space is enclosed by a giant fern, a tall palm, or a plant dangling from the two-story high ceiling. In an alcove, behind a wrought iron gate, one table sits beside a rippling fountain. And upstairs, you can glimpse the art gallery, where you can stroll before or after eating.

Want breakfast? Try the freshly squeezed orange juice, brioche & croissant with butter and jam, and coffee (\$1.50). Health food? There is yogurt: plain (.60), with nuts and honey (1.00), with fresh fruit (\$1.10), or with ham (.75).

Salad? Have an avocado stuffed with either fresh shrimp or crab (\$2.75), avocado with grapefruit (\$2.00), or fresh fruit with cottage cheese (\$2.25). Sandwiches range from roast beef (\$1.95) to American cheese (\$1.10), to cream cheese with nuts on raisin bread (\$1.35), croque monsieur (\$1.75), and Nova Scotia salmon with cream cheese (\$2.50). There are also appetizers, soups, casseroles, and a cheese board (\$1.50).

Both the onion soup with melted cheese (\$1.10) and the split pea with croutons (\$1.00) were delicious. The crab was tasteless and cartilage-riddled, and the fresh shrimp didn't taste fresh, but the avocado and grapefruit were excellent, the perfectly ripe avocado served with an unusual cream sauce. Breast of chicken casserole with green beans in mustard sauce (\$2.75) was good, especially the tangy sauce.

We tried the fresh mint tea (.75), which was as refreshing as the Moroccan variety, and the English breakfast (.65), which was bland. Other teas offered (all .65 a pot) are Darjeeling, Oolong, Assam, Earl Gray, Lapsang Souchong, Jasmine, and Constant Comment. A variety of coffees is priced from .40 for espresso to .75 for Cafe Borgia, a mixture of espresso and chocolate, topped with whipped cream and orange peel. House wine (.60 a glass) is also available.

Lamentably, the service was slow. At lunchtime we waited for half an hour, and finally with wild gesticulations managed to attract the overworked waiter. Then another half hour wait, and we threatened to leave unless our order arrived within five minutes. It did. (We later discovered that the cook had quit that very day and the owner was frantically cooking single-handed. On a later occasion the service was prompt and courteous.)

The Gazebo Cafe is open from Tuesday-Sunday from 11 AM-10 PM.

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Punch in the park— 'Curses, he's stoned again!'

By Leroy Breslow

Bill and Ann Lindyn and The Free City Puppeteers pile out of an old chevy stationwagon, unload their gear, and set up a makeshift canvas stage on the Aquatic Park grounds. It's a magical Sunday afternoon and within minutes the "people puppets," parading about like minstrels of the past, draw a large crowd of children dragging reluctant parents.

The show begins with Ned and Nellie Neanderthal, "Agnew's heroes of the silent majority," lurching mechanically to center stage. Ned wears a yellow hard hat and appears more ghoulish than mean or cruel. They sing Janis Joplin's "Mercedes-Benz." Suddenly it dawns on rock fans in the crowd why Janis cackled at the end of her song. Bill Lindyn puts it this way: "When the silent majority speaks, what they're really saying is 'give me,

give me, give me.'"

Following Ned and Nellie, the Military Man marches out to the beat of a drum, his masked army following him with an American flag. His ears are painted with patriotism—red, white and blue—and an ominous black swastika perches atop his head.

Then The Military Man raises his white papier-mâché hand and it's shaped as a peace sign. He shouts, "I want peace!" and bursts into song:

... join the army,
see the world,
burn a gook,
screw a girl ...

By now the tourists in the audience are growing uneasy. Some parents are thinking of graceful ways to tear their children from the show—it's becoming obscene and political and that's a no-no. Like the children, the rest of the audience, especially longhairs, are drawn and entranced by the "puppet people" and their lyrics.

After The Military Man, out slinks the Banker announced as "the greatest puppet master behind it all." With dollar signs in his eyes and sagging green jowls, he is the most frightening of all. One child spits at him as if on cue. The Banker shouts at the crowd in a raspy demonic voice:

... we're marching out in self-defense.

If we make a buck or two,

It's just in self-defense.

If we kill your wife & kids,

It's because we want to make them free ...

At this point most of the tourists without children have melted away. In sign language, one father exhorts his young daughter to leave, but she pays him no mind. Her round eyes turn to the stage where Punch, the star of the show, is being introduced by Count Bell of the Ball. "Curses," The Count complains, "he's stoned again!"

It comes as no surprise that, after a 450-year tradition, Punchinello of the Commedia Del Arte in Italy reappears as Punch, the hippie outcast, in San Francisco. In fact, the Punch tradition has always been radical. Punchinello was born in the early sixteenth century, when the Pope banned live actors from performing because of their devastating satires of the Papacy.

Bill Lindyn, who lives in the Haight and at one time was a Digger, sees Punch as a hero; and in the midst of the show Bill emerges from behind the stage, with Punch on his fist, to tell the audience just that. The transition is amazingly smooth as he slips back stage again and Punch reappears.

"I want to get closer to the people," Bill explained to me, "Puppets are magical and magic brings people closer to reality."

Five years ago, in New York, Bill and Ann decided to give up their acting careers because nothing "relevant" was being performed.

In San Francisco shortly thereafter, they met Bill Graham, who persuaded them to join the San Francisco Mime Troup. Graham left the Mime Troup a few months later, but Bill and Ann stayed on for two years. They found the Mime Troup exactly their idea of what theater should be.

"There are two kinds of theater," Bill related in the small apartment adjoining their workshop at 1915 Page Street, "popular and commercial. Ann and I prefer the popular because it has a message, though not necessarily for or against."

He thought for a moment and continued, "We don't talk down to the kids in our puppet shows. That's the difference between Punch and Howdy Doody. Kids resent being talked down to, so we never write our shows specifically for children. We write them for people."

I asked Bill whether he felt his shows were didactic. He grimaced and shifted uncomfortably. "I believe in the revolution," he said, but I don't trust the revolutionar-



Photos by Charles Gould

ies. It's a paradox that I'm well aware of. Punch is the ultimate anarchist, but a responsible anarchist."

With a wife and child and another on the way, Bill saw himself as a victim of creeping middle class values.

"But I follow no leaders," he said, "and I don't adhere to the establishment. I'm no intellectual, but a man of many paradoxes."

"Look," he went on, "most of the criticism we get is not concerned with the message anyhow, but with the degree of violence in the show. After all, Punch beats the shit out of Judy and Rank Pig, the landlord, in every performance. But he's been beating the shit out of people for the past four hundred years, and it works for everyone. People by nature are not pacifists—they're aggressive. It's not healthy for people to bottle up their aggressions. It's better for kids to kill a puppet than a cop."

After finishing our coffee, we walked into the workshop. Ann, slender and energetic for being seven months pregnant, was sur-

rounded by a clamoring battery of kids of all sizes, shapes and colors. Each had made his own puppet.

"Theirs are as good as the ones we use in the show," Ann said proudly. They really were. One little girl tugged at my trousers. "Look at mine!" she urged happily, and then ran off to join her friends behind the stage.

In a few moments the curtain raised and a younger generation made their stage debuts. Punchinello, the archetypal outcast, had found a home in San Francisco.



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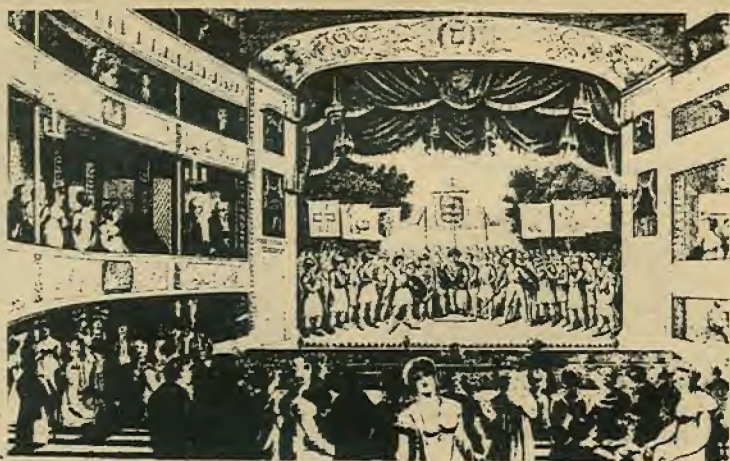
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Rolf Peterson Reviews Theatre



Knickerbocker Holiday
(Civic Light Opera)
An Enemy of the People
(ACT)
The Selling of the President
(ACT)

THE CIVIC Light Opera has opened its new season with a revival of "Knickerbocker Holiday." Well, not revived, exactly. More like stuffed and mounted.

Edwin Lester's hallmark through the years of the CLO has been stuffing-lavish costumes, glittering chandeliers, expensive sets. I would prefer less form and more content. Specifically, I like a musical comedy to contain music and comedy.

Lester gets musical content simply by choosing a show with a score by Romberg or Strauss or Lehar and hiring some good voices to sing it. But "Knickerbocker Holiday's" only claim to musical permanence is "September Song." The rest of the songs, like Maxwell Anderson's tedious book, hardly merit staging.

And the show has no comic content, at least as Albert Marre has staged it. He is of the operetta school of comedy--soldiers who right-face when the order is left-face, Weber and Fields accents, an ingenue struggling with nine petticoats, a fat man trotting about the stage with short steps (ha ha). The Civic Light Opera audience doesn't seem to know the difference. They laughed when the juvenile lead said he'd been in the woods eating nothing but wild turkey and Indian corn--why, I don't know, unless they thought it was a joke about a whiskey named Wild Turkey. A comic line, it seems to me ought to be funnier than that.

THE ONE bit of funny business is Anita Gillette's running on to save her lover from the gallows, being caught by the elbow by Peter Stuyvesant and propelled back off the stage, and using the same mincing run in reverse.

It's camp, and I'm not sure that turning the whole evening into camp comedy would be the remedy for the deadly straightness of

this libretto, but it might have been worth a try.

Another possibility would have been to go easy on sets and costumes and put the money instead into hiring S.J. Perelman or Woody Allen or somebody to rewrite the script. And, for God's sake, put a couple of professional comedians into it.

Burt Lancaster might conceivably have given Peter Stuyvesant some charm and laughs by hamming up his tyrannical political utterance and by having some fun with his peg leg. But when he dances on it he stares at it soberly, as if he can't believe it's going to hold him up. And his acting is for films, not the stage--quiet, forthright, underplayed.

Stuyvesant isn't entertaining enough that way. Compare his diffidence with your memories of Walter Huston's knack of relishing a role and communicating his relish to the audience and you can see how this pedestrian show might have been the hit it once was, presumably.

DAVID HOLLIDAY and Anita Fillette are very good. The manly baritone and fierce visage of Ruth Kobart, former grande dame of the ACT, make a welcome return to the local

stage in a bit part. The rest of the performers are simply awful. Donald Saddler's choreography is a listless compendium of television cliches.

There is hope. The CLO season continues with "Applause" and "Company," both widely praised new musicals, and that unfairly neglected masterpiece, "Candide."

The ACT's season, recently concluded, was its best to date, although the two final productions were nothing to cheer about. "An Enemy of the People" was a vigorous attempt that might have done with less vigor and more finesse.

Ibsen's characters came off as melodramatic stereotypes--crusading doctor, hypocritical mayor (oops), corrupt editor, pompous businessman. Thanks to Ibsen's dialogue, or its translators, it would be difficult to bring these characters off as anything but melodramatic stereotypes today.

Where Shaw's witty treatment of the minds and manners of a bygone era is still witty today, Ibsen's wit, what there is of it, seems ponderous and simplistic.

THE ONLY sensible approach to passe classics is to invest the cliché characters with something more than standard ACT acting skill, something I fear has always been in short supply at the ACT--nuances of personality, style and charm within the actor that can bring the stereotype character alive to the modern audience.

It must come from the actor, with a little help from the director. Those who manage it in "An Enemy of the People" can be counted on the fingers of one elbow. Only William Paterson, as the hollow voice of the Silent Majority, comes close, and he only for a moment here and there.

Peter Donat, who managed to give Hadrian VII a good deal of personal charm, humanity and complexity, gives Dr. Stockmann a good deal of volume and vivacity instead, and we get a high-pitched, naive, boring, hard-to-take True Believer.

Besides the tiresome museum-pieces of the principals there

was the customary quota of miscasting (Scott Thomas) and uneasy posing (Jeff Chandler) among the small parts, and it all added up to an evening of theatre well worth missing.

I FELT the same way about "The Selling of the President," although some of the opening night audience laughed fit to bust and Knickerbocker's review in the Chronicle gave it unstinting praise.

The word for it, I think, is "carpetbagging"--John P. Flaxman (producer), Stuart Hample (librettist), Bob James (composer), and Jack OBrien (lyricist) descending on San Francisco to use the ACT's actors to get an idea of what their rough outline of a musical might look like on a stage. And charging the yokels professional ticket prices for the privilege of watching them grope.

There was an inexcusable raggedness, as if nothing quite jelled yet. The mood shifted wildly from burlesque to satire to straight-talk to realistic assassination, with an ultimately numbing effect.

Many songs didn't seem to be relevant to the dialogue that introduced them. Joy Carlin's parody of Pat Nixon was thrown together with no sense of pace or order of climax.

Imitations of Billy Graham, Walter Cronkite, and the host of a Teen TV show failed to exploit any of the satirical possibilities in those vulnerable figures. There was some haphazard mixing of media with no real point or purpose.

A month later I saw it again and found improvements had been made, though not enough of them. Some characters who had seemed blurred had been brought into sharper focus, the show held together with more coherence than it had on opening night, and Peter Donat had made the role of the candidate into a gem of subtle comic characterization. But it still contains a wealth of characters, lines, bits and devices that are neither funny enough nor pertinent enough to warrant your attention.



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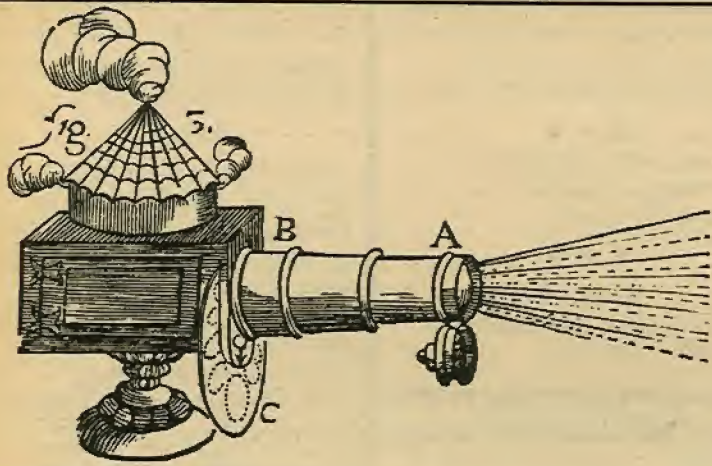
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Margo Skinner Reviews Cinema

"Little Big Man" (Northpoint)
"They Might Be Giants" (Cinema 21)
"Bed and Board" (Music Hall)
"Wanda" (Bridge)
"The Andromeda Strain"
(Golden Gate 1)

"LITTLE BIG Man," a marvelously hip western, stars Dustin Hoffman as both the cowboy and the Indian. As the 121-year-old survivor of Custer's Last Stand, Hoffman, in an incredible makeup job, even to his brown-spotted, wrinkled hands, is completely convincing.

A long flashback, the body of the picture, recounts his chequered experiences in the American West. Orphaned in a wagon-train raid, he is raised by the Sioux, later lives with a hardshell minister and his charmingly nympho wife (Faye Dunaway), becomes a gunman, medicine show shill, storekeeper and mule skinner for General Custer before he returns to life with the Indians.

Many episodes are hilarious, like the bawdy sequence in which he

marries his Indian wife's three sisters. The horrifyingly powerful climax of "Little Big Man," the massacre of Hoffman's family and tribe by the U.S. Cavalry, is a Mai Lai of the frontier, and the death of the general at Little Big Horn, the execution of a war criminal, a far cry from earlier westerns.

Arthur Penn's latest film blends the earthy humor of Peckinpah's "Ballad of Cable Hogue" with touches of John Ford's Cavalry-worship in reverse, smidgions of Mark Twain and burning indignation against genocide into the film. I think it should have won the Academy Award for best picture.

Acting is excellent, particularly Richard Mulligan as Custer and venerable Chief Dan George as the leader of the Indian people--the performance that should have taken the best supporting Oscar.

MY FAVORITE picture of 1971 is "They Might Be Giants," in which George C. Scott plays an addled judge who thinks he's Sherlock Holmes, and Joanne Woodward, his spinsterish psychiatrist, plays Dr. Watson.

Scott, in a deerstalker hat, tweedy cloak and Meerschaum pipe, is absolutely magnificent,

the most authoritative, archetypal and believable Holmes yet, though his brilliant deductions are based on aberration--or are they?

Miss Woodward makes a perfect assistant, as they stalk the arch-criminal Moriarty through the canyons and slums of New York City. A fine cast of "Irregulars" is headed by Jack Gilford as a whimsical librarian.

"They Might Be Giants" is expertly directed by Anthony Baxter and brilliantly written by James Goldman, the duo responsible for the memorable "Lion in Winter." It's comedy, good old-fashioned love story, social comment and almost tragedy. I loved it, and so will you, if you believe in Sherlock Holmes, the Scarlet Pimpernel, Don Quixote--and that "under the soot the earth still shines."

"BED AND Board" is also very French and part of a series. Francois Truffaut's child hero of "400 Blows," is played again by sensitive Jean-Pierre Leaud, who has grown up with the role. He takes unto himself a pleasant wife (Claude Jade) and all the problems of a young married man.

One of these, his relationship with a Japanese mistress, is too long-drawn out, but the warm recreation of a Paris neighborhood, with its zinc-topped bar, tabac, good soup on the table and idiosyncratic people, recalls the great pre-World War II cinema.

"Wanda," a Venice Festival winner, is the first directing job of Barbara Loden (Mrs. Elia Kazan). Though Miss Loden splendidly plays its lonely loser heroine, her direction is pretty amateurish, with a lagging pace and crying need of editing. "Wanda's" seamy milieu of roadside taverns, sleazy hotels and cheap restaurants is well captured, but execrably photographed.

"The Andromeda Strain" has been hailed as the best sci-fi movie yet by critics who know nothing about science fiction. It isn't.

Behind all the handsome hardware and expensive color is the same old chestnut about invasion from outer space, this time by malignant crystalline germs. The actors are virtually indistinguishable, except for Kate Reid as a pudgy, middle-aged lady scientist, a relief from Raquel Welch in the laboratory.

Frederic Stout Reviews Little Theatre

Lone Mountain College

Theatre at its greatest can so engage an audience that the distinction between audience and performers becomes blurred, even eliminated. The audience ceases to be a detached observer and becomes a sharer, with the cast, in a common emotional experience.

In the last few years many groups, notably Julian Beck's "Living Theatre," have tried to intensify the communication between the actor and the viewer by directly, often hostilely, approaching the audience and creating a kind of theatre of confrontation. As often as not, such experiments have failed--actually increasing the psychological distance between the audience and the action by jarring the audience into a defensive position.

Productions that achieve a successful two-way communication remain rare, but one is "Tommy" which is being presented at Lone Mountain College, 2800 Turk Street, San Francisco.

"Tommy," composed as an opera by Pete Townshend of the British rock group The Who, has been expanded by John Pasquell-etti of the Lone Mountain drama department into a total theatrical happening incorporating lights, sound, mime, dance and direct audience contact. Pasquell-etti's "Tommy" is performed without intermission--it grabs you, holds you hard and leaves you as emotionally uplifted as any theatrical production I have seen.

The opening night audience was rocked to its very soul. At the end, we stood and cheered, actually cheered, and brought the performers back with loud, insistent, rhythmic clapping.

How does "Tommy" achieve such magical rapport? First, "Tommy's" message is relevant. It says something significant about the historical experience of our generation. Second, the Lone Mountain production is friendly and informal.

Members of the cast show you to your seats. For 20 minutes or so before the overture, the dancers casually limber up and embrace each other without being hidden by a curtain. At one point during the show, the cast throws flowers to the audience. Throughout, the performers communicate joy and excitement. In short, there is none of the usual reserve between the US and the THEM that is so deadeningly common in conventional theatre.

"Tommy's" music, as recorded by The Who, has sold more than a million copies; to many, it's become a cult with overtones of faddishness. For me, the score, though impressive, occasionally suffers from a certain sameness, especially in the first half.

"Tommy" improves greatly with this visual dimension. The music, as played and sung by ten talented local musicians, seems better--more relentless, more hard-driving. The dancers' precision and vitality are superb. The choreography varies from the subtly lyric to the frenziedly kinetic. The selection of a woman to dance the part of Tommy's mirror image is a particularly brilliant touch.

I do not hesitate in saying that Lone Mountain deserves an award for the Best Theatrical Production of the Year. For ticket information and schedules, call 752-7000, ext. 229.

Magic Theatre

Of the established Bay Area groups, the Magic Theatre (2136 San Pablo Avenue, Berkeley, 548-6336) has been the most consistent and successful in presenting relevant, well-staged avant-garde productions. Its current, offering, "Four One-Act Plays About You . . . And Me," is disappointing.

James Schevill's "Oppenheimer's Chair" is more of a black-out skit than a play. It departs from the premise of a visit to the Alamogordo A-bomb museum, but arrives at no identifiable destination and leaves the audience wondering just how to react.

Nick Kazan's "Beau" and Michael McClure's "Growl" have their witty moments--Peggy Browne deserves credit for a fine performance in "Beau" and John Lion's direction in both works is first-rate--but moments of brilliance only whet the appetite and leave the viewer unsatisfied at the end.

Kazan's "Stroganoff," also directed by Lion in the version I saw, is the one strong point of the evening. Kazan depicts a psychotic husband who sadistically tortures his wife through a series of well-calculated mind-fucks. The husband's motivation is unclear, but the sick relationship, though at times outlandish, strikes home as chillingly realistic.

Berkeley Repertory Theatre

The announced intention of the Berkeley Repertory Theatre (2980 College Ave., 848-2791) is "to make the theatre live in Berkeley." It proclaims: "The attempt here is to establish a blend of excitement and intimacy, to create a situation where the written text can leap to life in a very real and earthy manner. Therefore, the entire feeling desired by the company is informal and relaxed. Actors . . . like an audience that can 'talk back.' . . . The actors work hard at establishing a truly personal approach to their audience."

These are fine sentiments. But words are cheap, and few BRT productions have achieved its announced goals. BRT's version of Ibsen's "The Wild Duck" was super-dull and unrelieved by any attempt to make relevant the psychological conflicts of the play.

However, in Robert Sherwood's "Idiot's Delight," the BRT scored a considerable hit: it translated theory into practice and generated a sense of electric excitement.

Sherwood's anti-war play of 1936 was written in anticipation of World War II, but the dramatic situation--a disparate group of travelers stranded at a border resort by the beginning of hostilities--is universally compelling. Like the film "Grand Hotel," Sherwood's play will never be completely dated.

Robert Mooney as the Nazi scientist, Ken Grantham as the socialist organizer, Le Clanche Du Rand as the upper class mistress of lower-class origins and Thomas Lynch as the munitions manufacturer--all developed their roles with assurance. David Coxwell was excellent as Harry Van, the American song-and-dance man who combined romantic innocence and worldly cynicism.

Continued on page 31

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REAL ESTATE

MORRISON

Continued from page 22

would carry the Mayor's support along and turn elsewhere, to someone like Superior Court Judge John Ertola, for a candidate to bail them out. None of the current Board members has the political resources with which to countervail the Old Guard.

The man now most ardently wooed by the Republicans is Caspar Weinberger, Nixon's Deputy Director of the Budget. He would be a strong contender, but so far has given his champions little en-

couragement.

Lewis Butler, a lawyer, McCloskey Republican and former HEW official, was the object of an early boom, but he has taken himself out of the race. Others set afloat as potentials are State Senator Milton Marks, Supervisor James Mailliard and former supervisor and mayoralty candidate Harold Dobbs, but none constitute a great threat.

The contest for six board seats is almost entirely over-shadowed by the drama inherent in the main event. A rather widely-held view is that Mailliard and Pelosi are fairly easy winners. Mendelsohn and Francois are in some trouble, and Gonzales and Driscoll are in deep trouble.

That view assumes there will be a number of strong challengers. Peter Finnegan, former aide to

Assemblyman John Foran and a declared candidate, and John Molinari, Civil Service Commissioner and a probable candidate, fill that bill. Others are slow to come forward.

A most interesting study will be the campaigns of Francois, a Black, and Gonzales, a Chicano. Each is under attack from various sectors of what should be his strongest power base, his own ethnic community. Their capability of forging ethnic solidarity in their respective campaigns might be critical and I will write about this later.

The most dismaying thing is that almost all the attention, both of the candidates and the public, is centered on questions of maneuver and Realpolitik. A candidate who started raising issues, neglected and controversial, just might fire the imaginations of a lot of people.

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Frederic Stout

Continued from page 29

The highest praise should go to director Michael Liebert. When Harry and his chorus girls entertain the stranded guests, Liebert had Coxwell play both to the audience on the stage and to the audience in the theatre. This succeeded admirably in bringing the viewer totally into the action of the play. For a moment, we all were unwilling guests stranded on the precipice of war.

John Whiting's "The Devils," originally commissioned by the Royal Shakespeare Company and based on Aldous Huxley's "The Devils of Loudon," is playing at the Berkeley Repertory Theatre.

Et Cetera

The Playhouse Repertory Theatre (Old First Presbyterian Church, Sacramento and Van Ness, 346-5421) is currently presenting "Tango" by the Polish expatriate Slawomir Mrozek. The play, which premiered in Yugoslavia in 1965 and has since been produced throughout Europe and in Havana, concerns a young man's search for discipline in his rebellion against his bohemian family.

The Firehouse, a new non-profit company, has opened at 1572 California St., (441-2936) with Georg Buchner's "Woyzeck." The play is best known for its operatic version by Alban Berg.

The Julian Theatre (Potrero Hill Neighborhood House, 953 De Haro St., S.F., 647-8098), whose production of Ugo Betti's "Crime on Goat Island" was superb; opens with Moliere's "The Cheats of Scapin" on May 13. Julian productions always are worth seeing.

The Pitschell Players are still holding forth at the Intersection Coffeehouse, 756 Union St., 397-6061, with brilliant satirical skits and audience-inspired improvisation.

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